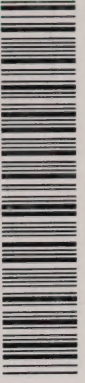


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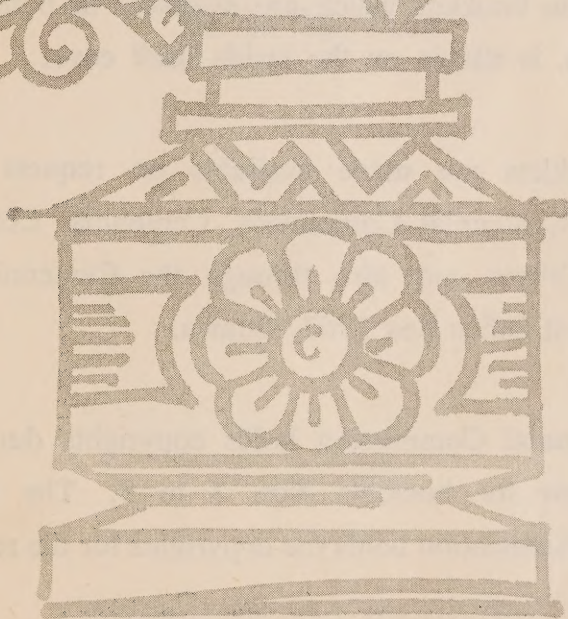


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Great Britain and Confederation

D. L. M. Farr



Canada

Centennial Historical Booklet No. 1-9

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Great Britain and Confederation

D. L. M. Farr

Centennial Historical Booklet No. 1

Published by The Centennial Commission, Ottawa, 1967

D. L. M. FARR

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In addition to a number of articles, his publications include "The Colonial Office and Canada", 1867-1887 (1955) and, in collaboration with J. S. Moir and S. R. Mealing, "Two Democracies" (1963).



GREAT BRITAIN AND CONFEDERATION

"The friendly separation of Canada from this country, and a declaration of its independence would relieve Great Britain and the Dominion from some present embarrassment, and from future risks." Thus a British Colonial Secretary, drafting a dispatch, set down his private thoughts in 1869. (He erased the sentence before sending the dispatch.) The incident affords a glimpse into the nature of the relationship between Great Britain and Canada a hundred years ago.

The Confederation of Canada has two aspects: one internal and one external. In a domestic sense the union of the scattered British colonies in North America provides the origin for Canada's existence as a transcontinental federal state. In an international sense Confederation can be seen as facilitating a major shift of responsibilities between the two great English-speaking powers after the middle of the last century.

Throughout the uneven course of Anglo-American relations, Canada has always played a vital role. She has been an ever-present link between the two countries and at the same time a source of strain in the relationship. Almost all the great crises of Anglo-American relations have occurred because of the existence of Canada. Her North American position made her, in the nineteenth century, a hostage for Britain's good behaviour towards the United States. This was because her long frontier with the republic represented, as one governor-general said, "a line of weakness through which an enemy might wound England". Supreme at sea in the nineteenth century, Britain could never exert the same supremacy in North American land operations. Thus she was obliged to reach accommodations with the United States in order to make the most effective use of her military strength in other continents. The changing diplomatic balance in Europe in the last third of the nineteenth century forced Britain to reduce her political and military commitments in North America. The Confederation of Canada can be viewed as one step in this process.

Britain and her Colonies at the Mid-19th Century

The supreme moment in Britain's history as a great power came at the middle of the nineteenth century. Her possessions lay scattered over the globe, protected by the strongest navy the world had ever seen. Secure at home, she had been unmenaced, for most of the preceding generation, by any European state.

Her weight in diplomacy had been sufficient to sustain a general peace in Europe since the downfall of Napoleon. Her factories turned out finished products for all nations and drew raw materials from every corner of the globe. The trade of the world pivoted on her docks and warehouses. Her bankers handled the world's commercial transactions and supervised the flow of capital, much of it British, which went out from Europe to less-developed areas. Her twenty-one million people, prosperous after a decade of steady advances in real wages and profits, enjoyed genuine social peace. If some sensitive Victorians experienced private anxieties about the shape of the world to come, most Englishmen were complacent over their achievements and confident concerning the future.

The empire over which the soon-to-be widowed Queen Victoria reigned in 1861 contained two hundred million people living on every continent. Although vaster than any other empire in history, it was not the principal source of Britain's pride. It was considered more a legacy from the past than a sign of pre-eminence in the present. Britain's crucial decision to adopt free trade in the 1840's had meant a conscious abandonment of national and territorial self-sufficiency in favour of a bid for the trade of the world. The gamble had been successful, with the result that by 1861 Britain carried on her economic activities without reference to political boundaries. Markets and materials alone were significant, whether they were found within the British Empire or without it. Thus Goldwin Smith, Oxford professor and leading spokesman for mid-Victorian laissez-faire, dismissed colonies as useless appendages. "The time was when the universal prevalence of commercial monopoly made it well worth our while to hold Colonies in dependence for the sake of commanding their trade. But that time is gone. Trade is everywhere free, or becoming free; and this expensive and perilous connexion has entirely survived its sole legitimate cause... We have, in fact, long felt that the Colonies did nothing for us. We now are very naturally beginning to grumble at being put to the expense of doing anything for them."

Most mid-Victorian Englishmen, while attracted by an economic assessment of colonies, were not prepared to follow the laissez-faire argument to its ultimate conclusion. They did not feel the colonies should be cast adrift in the world. Instead they looked forward, benevolently and somewhat condescendingly, to eventual colonial independence. In the interval before emancipation the objective of British colonial policy should be to teach the larger colonies to stand on their own feet, "to ripen... to the earliest

possible maturity — social, political and commercial". The development of colonial self-reliance meant turning over to the colonies authority in those areas that were essential for an autonomous existence. This process had gone on steadily ever since the settlement colonies in North America had been granted local self-government in the 1840's. In tariffs, in trade policy, in constitution-making, the larger colonies had won almost a free hand. One of the few important areas remaining under imperial control was defence.

The question of defence was a complicated one, beset by incompatible considerations. Britain's army, small in size and widely-dispersed through the overseas territories, was strained to the limit to protect the country's security. To a generation which insisted on economy in government, the mounting cost of military establishments was a standing offence. Efforts to transfer some of the burden of imperial defence to the autonomous colonies brought the rejoinder that the security of the empire was properly the mother country's responsibility. The North American colonies also insisted that the principal risk of war they experienced derived from the uneasy relationship prevailing between Great Britain and the United States. The argument over defence went on endlessly throughout most of the century. Nevertheless by 1861 some progress had been made in the reduction of garrisons overseas. In British North America, for instance, only 4,300 soldiers remained from what had once been a much-larger force. These men carried out duties as dissimilar as the guarding of Halifax harbour and the construction of a wagon road to the Cariboo gold fields in British Columbia.

The American Civil War

In the summer of 1860 Anglo-American relations looked brighter than at any time since the dark days of the Revolution. The Prince of Wales, the future Edward VII, visited North America, the first heir to a British throne ever to cross the Atlantic. Accompanied by the Colonial Secretary, he toured the Maritime colonies and Canada; then, changing his name to Lord Renfrew, he entered the United States and visited its principal cities. Before he sailed home from Boston in the autumn the Prince had achieved a triumph in reconciliation by shaking hands with the last survivor of the battle of Bunker Hill in 1776.

Harmony in Anglo-American relations, however, was short-lived. At the end of the year of the Prince's visit the smouldering

conflict between the American states burst into the flames of secession. In April, 1861 the guns of Charleston harbour proclaimed the beginning of civil war. Great Britain occupied a key position among world powers in the diplomacy of the ensuing conflict. Her sympathy, trade and legal neutrality were desired by the North, while the Confederacy exerted every effort to secure her intervention in the struggle. Looking back on these alternative courses of action from the vantage point of a hundred years, it is apparent that Britain's entry into the Civil War would have led to the permanent separation of the North and the South and to the Northern conquest of Canada. Fortunately intervention was never a serious possibility. Britain proclaimed neutrality at the outbreak of the war, recognizing the Confederate states as possessing belligerent but not independent status. She also strictly observed the blockade which the North imposed upon Southern ports.

The Civil War was but seven months underway when the first serious crisis occurred between neutral Britain and the war-torn American Union. On 8 November, 1861, the British mail packet *Trent* was stopped in Caribbean waters and two of its passengers removed by a United States naval vessel. The two passengers were diplomatic agents of the Confederacy, en route to Europe on assignments. The North, overemphasizing the contribution the agents might make to the Southern cause and disheartened by the unsatisfactory progress of its war effort to date, rejoiced at this bold stroke. Great Britain, on the other hand, was highly indignant at what it considered an arbitrary interference with lawful movements upon the high seas. Inflammatory statements were made, even in responsible quarters. "We shall soon *iron the smile* out of their face", wrote the British Secretary of State for War. The Palmerston government demanded an apology and the immediate release of the Confederate passengers.

The American response to this demand was so unyielding that the British government thought it best to reinforce its troops in North America. A start had already been made at the outbreak of the Civil War in strengthening the imperial garrisons to meet possible trouble. At that time the Admiralty chartered the *Great Eastern*, the largest ship afloat, to carry 2,100 troops and their families to Canada. Now, with winter closing in rapidly, 11,000 men were hurriedly sent out to North America in eighteen transports. Only one vessel reached Bic on the St. Lawrence before the river froze; the others landed their passengers at Halifax or Saint John, from whence the men made their way overland by the "snow road" by Lake Temiscouata to the railhead at Rivière-du-Loup.

By the spring of 1862 over 18,000 British regulars stood guard along the American border.

The *Trent* affair produced a great wave of excitement in Canada and led to a dramatic increase in the Canadian militia. Although the crisis had been none of their making, British North Americans showed that they were prepared to resist an American attack if it came. Similarly Britain announced her determination to defend her American colonies even if to do so meant war with the United States. For a time there was a distinct possibility of this result. Then both countries retreated from the brink. The Lincoln administration, realizing the folly of engaging, not only in a second conflict, but in one with the world's greatest maritime power, released the Confederate agents and made grudging amends for their capture. The *Trent* crisis exposed, in a dramatic fashion, the vulnerability of Britain's North American colonies. Thus it raised once more the perennial problem of defence and forced this problem squarely into the forefront of the British assessment of Confederation.

The *Trent* affair was the first, and the most exciting, diplomatic crisis of the Civil War years. But it was not the only one. Indeed it was followed by a succession of incidents and escapades (many of them resulting from the activities of Confederate sympathizers based in Canada) that produced almost continuous tension between the United States and Great Britain. Some of these events were potentially more serious than the *Trent* crisis. Most of them received the most exaggerated emphasis from an uninhibited press in the United States and in the British colonies. Thus, at times, the drums of war sounded uncomfortably close to the border of British North America.

British American Union

It was in this ominous atmosphere of impending storm that the union of the British American colonies was conceived. Political deadlock had emerged by the spring of 1864 as the discouraging outcome of the legislative marriage between Canada East and Canada West. In June a coalition government headed by George Brown and John A. Macdonald came into existence to carry forward the project of a federal state for the British colonies in North America. The Canadians invited themselves to a previously-arranged conference of the three Maritime colonies in order to present this proposal. Thus by the late summer of 1864 the Colonial Office was faced with the task of evaluating, for the consideration of the Palmerston government, a plan for a sweeping political reorganization in British America.

There was no doubt of the tenor of the response to the project. It represented a colonial initiative which, coming from a group of autonomous colonies, should definitely be encouraged. It is true that some of the permanent officials in the Colonial Office had long cherished the dream of a tidy little legislative union for the Maritime colonies. In any realistic assessment the prospects for this scheme were dim, however. More importantly, Edward Cardwell, the new Colonial Secretary, did not share the enthusiasm of his predecessor, the ailing Duke of Newcastle, for Maritime union. Cardwell, in fact, regarded the calling of the Charlottetown conference with scepticism.

Then, in the early autumn, as the Colonial Secretary began receiving dispatches from his governors on the proceedings at Charlottetown, his attitude changed. His doubts vanished and he became an advocate, and a highly influential one, for the wider union of British North America. There were two main reasons for the conversion of this disciplined and realistic administrator to a supporter of Confederation. One was his respect for the capability and purpose of the delegation from Canada which dominated the Charlottetown conference and gained Maritime acquiescence for a further meeting on the subject of union. Another was Cardwell's recognition that the consolidation of British America offered a means of solving the intractable problem of defence. From the Atlantic to the Pacific there were spread seven British colonies, in most of which were stationed British garrisons. Only the largest could make a contribution towards the costs of their defence. The union of these isolated communities would allow the burden of defence to be assumed by a stronger central authority. Ultimately this authority, and the communities it represented, could replace the British military presence in North America.

Convinced by this line of reasoning, Cardwell persuaded his colleagues in the cabinet that British North American union should be endorsed as an imperial objective. Then he brought into line those officials in the Colonial Office who still clung to the project of Maritime union. To his governors in North America he wrote stating his support for the resolutions of the second constitutional conference, that held at Quebec in October. Under Cardwell's firm hand, union in North America ceased to be an academic exercise engaging the attention of a few clerks in Downing Street and became an overriding goal of imperial policy.

Railways and the West

There were two other problems, related to the major requirement of security, which the British government felt could be put

in the way of resolution through the project of Confederation. One problem concerned the immediate prospects of the railway system in British North America, the other the long-term disposition of the West. Each question had its colonial interest group of promoters, politicians, financiers and journalists, many of whom possessed English connections. Thus during the 1860's a variety of non-official approaches to the project of Confederation emerged.

The railways of British North America were young in years but confident in outlook. They were also expensively scattered over 1,500 miles of British territory from Sarnia to Halifax. Only the Grand Trunk, running from the St. Clair River to the Atlantic seacoast at Portland, Maine, offered an integrated "through route" across the region. But the Grand Trunk was in financial difficulties on the eve of Confederation, unable to raise the capital for the route extensions it considered vital. Its sanguine and articulate manager-promoter, Edward W. Watkin, felt the railway would flourish if it could reach out to the Pacific coast. A Pacific terminus offered the prospects of trade with Asia; on the way to the Pacific there lay the vast untapped resources of the prairie interior of North America. The union of the colonies would provide a firm base from which the Grand Trunk could move out to the West. Thus Watkin, assisted by the numerous persuasive techniques of North American entrepreneurship, threw his support behind the project of Confederation.

Another railway question which loomed large in the 1860's was the slow progress of land communications between Canada and the Maritimes. A railway between the colonies had been discussed ever since the Webster-Ashburton Treaty of 1842 had finally fixed the boundary between Maine and New Brunswick. The shortest route, and the one favoured by most residents of New Brunswick, lay through the St. John River valley close to the American border. But the British government refused to give its support to this vulnerable route and it proved impossible to obtain agreement among the colonies as to the location and financing of another line of communication. In the meantime Nova Scotia and New Brunswick went ahead with unconnected railway systems. The security of British America, the desirability of free trade among the colonies, the exploitation of mineral and forest resources — all these purposes depended on a railway between the St. Lawrence valley and the Atlantic seaboard. In 1864 the promise of an intercolonial railway became a *sine qua non* of union, later to be inserted in the formal agreement for Confederation.

The West constituted another problem for the administrators of the Empire in the 1860's. At this time it did not, of course,

belong to the British American colonies. It was part of the territories of the Crown, held by the Hudson's Bay Company under the ancient charter of 1670. The Company, while pursuing the fur trade over the whole region from Hudson Bay to the Pacific, had supplied the limited amount of civil government the West had known. By the middle of the nineteenth century the Company's hold on its domain was becoming increasingly weak and ineffectual. The American state of Minnesota and Canada West were expressing an active interest in the settlement possibilities of the Red River and the Saskatchewan. Both centres were exploring means of transportation to the plains. Free, or unlicensed, fur traders were brazenly encroaching on the Company's monopoly position. In the sixties the West gave the appearance of a political vacuum, into which a number of conflicting forces were rapidly being drawn.

The union of the British North American colonies would make possible the establishment of a strong political entity to which the West could be attached. A united Canada could then build telegraph and railway lines to the Red River. It would also be able to supply the monetary compensation by which the Hudson's Bay Company's title to Rupert's Land could be extinguished. Thus the British government saw in Canada's plans for the acquisition of the West a chance to reduce an awkward involvement in the interior of North America.

Beyond the Rockies lay the two Crown Colonies of Vancouver Island and British Columbia. They were isolated communities, small in European population and subject to compelling economic pressures from the American territories south of the 49th parallel. Their union with Canada, made effective through railroad transportation across the intervening prairies and Shield, would provide security for their future growth. Thus the distant fringes of Britain's North American empire might be drawn, to their long-term advantage, into the grand design of a new federal state under the Crown.

Union and Defence

In 1864, the immediate question of defence, however, had still to be settled. While the colonial delegates discussed a basis of union in Quebec, relations between the United States and Britain suddenly worsened. In October twenty Confederate soldiers operating from a secure base in Canada raided the little town of St. Albans in Vermont. Once more the border flared with watchfires and alarms; the Canadian government hastily called out 2,000 volunteers to prevent further incursions into American territory. The United States showed its anger at Canada's failure to observe "good

neighborhood" by requiring passports from those colonials who wished to cross the border and by giving notice of its desire to abrogate the 1854 Reciprocity Treaty and the 1817 agreement limiting naval craft on the Great Lakes. When the St. Albans raiders, rounded up in Canada, were carelessly released by a Montreal magistrate, American tempers rose to the explosive point. The St. Alban's raid provoked a popular crisis akin to that aroused by the *Trent* affair. That it did not ignite into hostilities probably resulted from the war-weariness of the American people.

By the autumn of 1864, the North, strong in men and armaments, stood at the point of crushing its adversary. As General Grant hammered relentlessly away at Richmond and Sherman began to cut a swath of destruction across Georgia, it was apparent that the Confederacy was doomed. What would the end of the war mean to British North America? Would the Union armies, numbering one million men, be unleashed on the colonies, to exact retribution for Britain's lapses from neutrality over the past three years?

The problem of providing for the security of British America had never been separated from the discussions of political union. Cardwell's appreciation of the military advantages of North American consolidation had also occurred to some of the colonial leaders. Yet a colonial federation could not be expected to guarantee security in the short run. In 1864 it was the pressing needs of the hour that called out for study and decision. First an informed judgment on the prospects of successfully defending Canada must be obtained. A military report (February, 1864), prepared by Lt.-Col. W. F. D. Jervois of the Royal Engineers, had suggested that it would be impossible to hold the western part of the Province of Canada without possessing naval supremacy on the lower lakes. Consequently Jervois recommended that the garrisons be concentrated in the St. Lawrence valley, at the strong points of Montreal and Quebec. The report received a critical reception in Canada (especially in the areas to be left undefended) but at least it provided a starting point in defining the scope of the problem. The Canadian government turned the matter over to the British cabinet, suggesting that a substantial contribution to the costs of the proposed fortifications would be welcome.

The discussions in the Palmerston cabinet revealed the uncertainty in the British mind over the long-term prospects of retaining Canada. Queen Victoria put the matter succinctly when she recorded in her diary in January, 1865, a conversation with her advisers about "America and the danger, which seems approaching, of our having a war with her, as soon as she makes peace; of

the impossibility of our being able to hold Canada, but we must struggle for it..." At the beginning of 1865 the future seemed distinctly unclear.

Yet the cabinet was obliged to provide means by which the safety of Canada could be ensured. Should the old fortress of Quebec, at one end of the sea route to Canada, be further strengthened as the principal British bridgehead in North America? If so, should this task be laid upon the Canadian or the British Government? W. E. Gladstone, Chancellor of the Exchequer, took the view that the defence of Quebec should now become a Canadian obligation. He was overruled in the discussions but not before he had won acceptance for the principle that "the centre of responsibility" in defence should gradually be shifted from England to the North American colonies. Cardwell communicated this view to the colonies when he wrote to state that their security "must ever principally depend upon the spirit, the energy, and the courage of [their] own people". Behind this admonition lay the unspoken commitment that British military support would be forthcoming if required in North America. This pledge represented the personal conviction of the 80-year-old prime minister, Lord Palmerston, the last of the Whig magnates to preside over a British cabinet. He had previously told Gladstone, "We have those colonies and cannot abandon them without disgrace and dishonour, ministerial and national, and we must do our best to defend them in co-operation with their inhabitants". The old man was as good as his word. The next spring, in the last year of his life, he proposed to Parliament an initial appropriation of \$50,000 for the construction of new fortifications at Quebec.

The new year brought the Confederation Debates in the legislature of Canada, in which the principle of union was approved. Several speakers dwelt on the urgent requirements of defence and the house later passed an appropriation of \$1,000,000 for "the permanent defence of the country". This was an unprecedented expenditure in Canada for military purposes. At the same time, four of the senior ministers in the Canadian cabinet were dispatched to England to seek a clarification of the British attitude to defence. The delegation sailed in early April, 1865, at the very moment the Civil War guns fell silent. As they journeyed across the Atlantic the Canadians must have felt that the future of North America hung in the balance.

A Proposal for Defence

The Canadian government's proposals in 1865 called for an immediate start on an extensive system of fortifications at Quebec

recommended by Col. Jervois the year before. It would be imprudent, the ministers claimed, to delay this project until the union of the colonies (which was experiencing exasperating difficulties at this time) was achieved. An understanding with Great Britain about military support, the Canadian said, was necessary to "remove the present feeling of uneasiness [existing] both in Canada and Great Britain on this subject". The Canadian ministers put forward a scheme for the joint construction of fortifications, for improved training of the militia, and for railway communication with the Maritime colonies. They asked for British assistance in the form of grants and the provision of a guarantee on capital borrowings in England.

The Canadian scheme was far too costly to have any prospect of acceptance in the Britain of 1865. There was an additional obstacle. Guarantees of colonial loans had long been unpalatable to British ministries. The fact that guarantees required parliamentary approval meant that critics of the garrison system were given a convenient opportunity to vent their views and embarrass the government. Gladstone had no desire to sponsor a colonial guarantee, even one for the purposes of British American defence. The British cabinet therefore countered with the suggestion that Canada commence the fortifications west of Quebec to show its good intentions. But the Canadians wanted the guarantee, and the capital which it would provide, immediately. In the end they were unable to convince London that a massive defence effort, costing the people of Britain several million pounds, was urgently needed in North America. It was decided to postpone the execution of the project until after the union of the colonies had been accomplished. The result was disappointing in many ways. Yet, in the course of the bargaining, both parties had declared their positions more positively than before. Canada had shown her willingness to assume a larger share of the responsibility for her defence, while the United Kingdom had stated, in the careful words of Edward Cardwell, that it "fully acknowledged the reciprocal obligation of defending every portion of the Empire with all the resources at its command". To Alexander Galt, the financial expert in the Canadian delegation, Cardwell's assurances concealed a basic lack of will on the part of the mother country. "It is very grievous", he wrote to his wife, "to see half a continent slipping away from the grasp of England with scarcely an effort to hold it." Power relationships in North America were indeed changing at the close of the Civil War. In a state of affairs so distressingly fluid, the best prospects for the stability of British America seemed to lie in the fashioning of a federal union.

The Achievement of Union

Although reluctant to become an active partner in North American defence, Britain showed no hesitation in her support of the consolidation of the colonies. The scheme had run into heavy weather by the early months of 1865. Canada, alone of the participants, had endorsed it in principle. On the Atlantic seaboard the response had been suspicious and even hostile. One of the subsidiary purposes of the Canadian ministers' visit to England had been to secure British backing in pressing Confederation upon the Maritime colonies. Cardwell offered his full co-operation in this request. He began by shifting governors. Sir Richard Graves MacDonnell of Nova Scotia, who was sympathetic to the anti-Confederate position in that colony, was transferred to the governorship of Hong Kong. He was replaced by a popular native son of Nova Scotia, Sir William Fenwick Williams who, as a general in the British Army, had distinguished himself in the Crimean War. Arthur Hamilton Gordon, MacDonnell's counterpart in New Brunswick, whose devotion to Maritime union made him an unsatisfactory instrument in the cause of the larger federation, was offered an alternative governorship which he took a year later. Even little Prince Edward Island was told that if it did not accept union it might expect to have to pay the salary of its lieutenant-governor in the future.

To a steady stream of Maritime politicians who visited London in the summer of 1865, Cardwell gave the same indication of uncompromising British support for federation. "It is the strong and deliberate opinion of H. M. Government", he told Gordon, "that it is an object much to be desired that all the British American colonies should agree to unite in one government." Thus loyalty to the imperial connection and Confederation were linked as purposes equally worthy of respect. The combination was bound to be potent, particularly in a colony such as Nova Scotia, where the anti-Confederates found themselves virtually lumped with the Fenians.

Eighteen sixty-six was a year of decision for British North America. While the pressing threat from the victorious Northern army melted away with its rapid disbandment after Appomattox, another menace took its place. The Fenian Brotherhood, created by the Irish of New York City as an instrument for the independence of Ireland, announced its intention of striking at Britain through her vulnerable North American possessions. Rumours that the Fenians, many of them veterans of the Union army, were massing along the American border inspired intense excitement in the colonies in the

spring of 1866. In a short time 25,000 (later 35,000) volunteers were mobilized to defend British territory against the invaders from the south. In response to appeals for help, Britain hurriedly dispatched two regiments to the New World. The Fenians threatened New Brunswick in April and mounted a 1,500-man invasion of the Niagara peninsula under "General" John O'Neill in June. They were driven back across the border by the Canadian volunteers after a stand at Ridgeway. Another foray, similarly unsuccessful, occurred in the Eastern Townships. The Canadian legislature voted the sum of \$1.8 millions for defence from a total budget of \$7 millions, the largest military expenditure in its history. More British troops came out before the end of the year, bringing the total number of regulars in Canada to 11,900, with another 3,700 in the Maritimes. By the beginning of 1867 there were more soldiers in British North America than there had been at any moment since the *Trent* affair.

The Fenian danger gave substantial assistance to the cause of Confederation. The New Brunswick scare helped to sweep the anti-Confederate ministry from office in the elections of June. The two houses of the Nova Scotia legislature approved a resolution in April to send representatives to another conference on the scheme of union. By the summer of 1866 imperial pressure and the Fenian threat had given new momentum to the project of Confederation.

The third and last of the conferences on union was held at the Westminster Palace Hotel, London, starting early in December. The sixteen delegates present were fewer in number than the groups which had assembled at Charlottetown and Quebec two years before; they were also men hardened by the atmosphere of crisis in North America. They found a new British ministry in power, the Conservatives under Lord Derby having taken office two months before. At the Colonial Office sat the handsome Lord Carnarvon, only thirty-five years old at this important moment of his life. An imaginative and high-principled individual, Carnarvon took a great personal interest in the North American colonies and their leaders. He was immediately attracted by the promise of nationhood implicit in the federation of British North America. The union of the colonies, he felt, was an act of imperial construction that might guide developments in other parts of the empire. He embraced the cause of union in North America with the zeal of the convert.

There was no question, at the London conference, of revising in any major way the terms of union adopted at Quebec. Certain changes were made in the educational provisions of the scheme and in the composition of the Senate; then the delegates turned to drafting a bill to lay before the Derby cabinet. They worked over

the Christmas holiday season, the Colonial Office officials adding their comments to the draft. Finally there remained only the name to be given the new entity. A Maritime member suggested "Canada" in place of several more lengthy alternatives. Many of the delegates favoured the formal title "Kingdom of Canada" in order to symbolize the distinctive identity of the new state in North America. But "Kingdom" or even "Viceroyalty" were not acceptable to the permanent officials of the Colonial Office, nor to Carnarvon or Derby. They were, they concluded, too much "in opposition to the institutions on the other side of the border", to be wisely adopted. On the very eve of the bill's introduction into Parliament, the style "Dominion" was settled upon and approved by the cabinet and the Queen.

The Imperial Parliament's approval of the British North America bill was something of an anti-climax after the stirring events of the previous two years. The first reading took place in the House of Lords on February 12, 1867, and a week later Carnarvon formally proposed second reading. Alone among the British architects of Confederation, Carnarvon dwelt publicly on the destiny of the new state that was arising in North America. "We are laying the foundation of a great State — perhaps one which at a future day may overshadow this country. But, come what may, we shall rejoice that we have shown neither indifference to their wishes nor jealousy of their aspirations, but that we honestly and sincerely, to the utmost of our power and knowledge, fostered their growth, recognizing in it the conditions of our own greatness."

Then the bill moved into the Commons where it was guided by Carnarvon's Parliamentary Under-Secretary, C. B. Adderley. He stressed the opportunity now presented to the colonies for the better management of their own defence, an advantage of union which Cardwell, from the Opposition, also put forward. In the committee stage the 147 clauses of the British North America bill received cursory attention. A disillusioned Nova Scotian who witnessed the scene reported,

... a clerk at the table gabbled on not the clauses even but the *numbers* of the clauses and as if that were not a quick enough mode of rushing through a disagreeably dull measure which did not affect anybody's seat, and which therefore could not be listened to, he used to read a whole batch of numbers at once, for example saying "Moved that clauses 73, 74, 75 pass" and they passed sure enough, without anybody worrying himself about their contents

The House got livelier and better filled when a dog tax bill came up — for you see the country gentlemen who could not maybe point out Nova Scotia on the map keep fox hounds subject to tax which interests them more keenly than a Canadian tariff.

I confess this utter indifference was more mortifying to me than positive opposition....

Such was the treatment accorded many colonial measures in the mid-Victorian Parliament. Casualness could imply indifference; it could also represent a tribute to Canadian political competency.

Four short sessions of the Lords and Commons had called into existence the British North America Act. The framework for a new state had been created; it now remained for that state to develop the "corporate and common feeling" which would allow it to withstand the pressures from the great republic to the south. Consolidation in North America had the pre-eminent merit, in British eyes, of simplifying an exceedingly complex problem of defence. It also gave promise, as a consequence of the eventual reduction of British garrisons in North America, of improving the conduct of England's relations with the United States. America's grievances had been, and still were, with Britain; "the United States will not quarrel with *us*", Galt had said in 1865. Thus, relief, mixed with the expectation of a more comfortable atmosphere in North America, dominated the British attitude to Confederation. *The Times*, the old "Thunderer" in so many colonial controversies had, as always, the last word. "We look to Confederation as the means of relieving this country from much expense and embarrassment.... We appreciate the goodwill of the Canadians and their desire to maintain their relations with the British Crown. But a people of four millions ought to be able to keep up their own defences."

Anglo-American Tensions

The Confederation of Canada pointed the way to a new formulation of Britain's responsibilities in North America. The outlines of the new policy were, however, far from clear in 1867. The balance sheet of problems with the United States had to be wiped clean before conditions for a harmonious trans-Atlantic relationship could be achieved. To many in the British government, the most convenient way of dealing with the problem seemed to lie in encouraging Canadian independence. Lord Granville, Colonial Secretary after 1868, privately expressed this view: "Our relations with North America are of a very delicate character. The best solution of them would probably be that, in the course of time and in the most friendly spirit, the Dominion should find itself strong enough to proclaim her independence." In the meantime Canada was still a colony, albeit a larger and stronger one than she had been in her former multiple capacity. Great Britain continued to

possess the responsibility for conducting the Dominion's external relations and for providing the diplomatic support and protection which she needed. As an appendage, the colony constituted a possible embarrassment to Britain in the search which she now began to discover the basis of a rapprochement with the United States.

The republic showed little sympathy for the new political entity coming into existence beyond her northern borders. In March, 1867, the House of Representatives resolved that the formation of the Dominion was a reactionary move that would strengthen the outmoded monarchical principle in the New World. W. H. Seward, Lincoln's astute Secretary of State, who continued to occupy the post after the assassination of the President, made no secret of his dreams for the acquisition of Canada. "I know", he stated confidently, "that Nature designs that this whole continent, not merely these thirty-six states, shall be sooner or later, within the magic circle of the American Union." The purchase of Alaska in 1867 began the expansion of the "magic circle". The Republican administration of General U. S. Grant, which took office two years later, was ardently expansionist. It presented plans for the annexation of the island of Santo Domingo, and was prepared to risk war with Spain in order to help rebels in Cuba. These schemes came to nought through the opposition of fellow-Republicans in Congress, who were much more interested in the exciting prospects of peace time domestic growth than in the annexation of Caribbean islands.

The Grant administration showed marked impatience with the actions of the new Dominion. It was particularly incensed with Canada's efforts to protect its inshore fisheries, which had been open to American fishermen until 1866 under the provisions of the Reciprocity Treaty. A new licence system, stringently defined in 1868, revealed Canada's determination to reserve its territorial fisheries for its own citizens. President Grant, in his annual message of 1870, complained bitterly of the attitude of "the colonial authority known as the Dominion of Canada", which "semi-independent but irresponsible agent has exercised its delegated power [from Britain] in an unfriendly way".

The problem of the Fenians was another source of recrimination between the North American neighbours. There was no doubt that the United States government had made little effort to prevent the massing of the Irish sympathizers in 1866, even though it had apprehended several hundred of them when they ignominiously reappeared across the border after Ridgeway. But the raids of June, 1866, and the alarms of succeeding years, had resulted in the

deaths of British subjects and the destruction of Canadian property. Canada insisted on compensation for these violations of her borders. The American government steadfastly refused to accept responsibility. A strong sense of an unsatisfied grievance smouldered in Canada all through the post-Civil War years.

Underlying these North American causes of tension, however, was a much larger issue lying directly between the United States and Great Britain. This was the problem of the damages caused by the activities of the Confederate commerce raiders. Built as merchant vessels in British shipyards, outfitted with armaments in foreign ports, commerce raiders such as the *Alabama* had destroyed thousands of tons of Northern shipping during the Civil War. Britain was unprepared to admit that in allowing the vessels to be built she had departed from the principles of neutrality, and declined to accept financial responsibility for the depredations of the Confederate ships. The controversy over the *Alabama* claims followed the familiar pattern of international disputes in soon leaving the plane of legal argument and becoming for each party a matter of national honour.

A Senate debate on the issue revealed a large reservoir of bitterness towards Great Britain existing throughout the country. The apogee in anti-British sentiment was reached by the brilliant but intolerant senator from Massachusetts, Charles Sumner. The impact of Sumner's views was bound to be electrifying overseas for, as chairman of the Foreign Relations Committee and one of the leading Republican politicians of his day, he seemed to be speaking for a majority of Americans. Sumner asserted that Great Britain's indulgence towards the Confederacy in the matter of the commerce raiders had prolonged the war by two years and thus cost the United States \$2 billions in additional war expenditures. He implied that the United States "indirect claims" against Britain were so enormous that they could only be satisfied by the cession of Canada. Sumner's speech caused so much indignation in Britain that negotiations on the *Alabama* issue were indefinitely postponed. Four years after the Civil War had ended, relations between Great Britain and the United States were as tense as they had been during the difficult days of the war.

Britain Sets Her House in Order

Fortunately, this unpleasantness, as so often happened in Anglo-American relations, was dispelled by moderate utterances on both sides of the Atlantic. The Grant administration, realizing the dangers attendant upon such Congressional outbursts, and for

reasons of its own, managed to displace Sumner from his chairmanship of the Foreign Relations Committee. Seward's successor as Secretary of State, the urbane New Yorker, Hamilton Fish, quietly diverted American feeling from the notion that Canada could be a pawn in Anglo-American negotiations. Fish came to realize, soon after taking office in 1869, that Great Britain would never consent to Canada's joining the United States unless a majority in the Dominion requested such a transfer. This was an important insight for an American Secretary of State, especially in an age when continental dominance was still regarded by many Americans as a settled objective.

Britain also drew back in alarm from the frightening prospects of conflict. The skies over Europe were becoming increasingly ominous with the growing strength of the powerful land state of Prussia. Otto von Bismarck had become Minister-President of Prussia in 1862 and had soon set about the task of consolidating the German states into a stable union. Prussia's war against Denmark in 1864 had revealed Britain's diplomatic isolation and military inadequacy. When the Palmerston government sought to restrain Prussia it found that it lacked the power to make its intervention effective. Prussia had then turned on its former ally, Austria. The victory at Sadowa in June, 1866, revealed the formidable nature of the Prussian military organization. In 1869 the Franco-Prussian War was still in the offing but it had become apparent to British leaders that in both military and diplomatic terms its position in Europe was endangered. The first Liberal ministry in British history, that of W. E. Gladstone, which took office in December, 1868, set about to repair this deficiency. It resolved on drastic and far-reaching changes in both the military and diplomatic aspects of Britain's position.

The reform and strengthening of the army was a first objective. This work was given Edward Cardwell, now seated in the demanding office of Secretary of State for War. Cardwell moved quickly to cleanse the neglected stables of the mid-Victorian Army. Two considerations were present in his mind. One was economy, that rallying cry of nineteenth century administration; the other, the imperative need to improve the capability and flexibility of the British Army. Cardwell placed the professional command of the army (the Horse Guards) directly under the Secretary of State and abolished that ancient symbol of aristocratic privilege, the purchase of commissions. He dealt with the lack of army recruits by introducing short service enlistments of twelve years, of which half the period would be spent in the reserve. He cut drastically the

length of tours of duty abroad and concentrated the bulk of the forces in the United Kingdom.

The Withdrawal of the Garrisons

Cardwell's overriding objective, that of concentration, raised once more the likelihood of the withdrawal of the British garrisons from Canada. The Civil War had halted a trend in this direction that had been set in motion a generation before; Cardwell now revived the movement and carried it to its logical conclusion. The silencing of the guns of the American battlefields allowed the policy of withdrawal to begin. By late 1869 the British regulars in North America numbered 6,200, down from the nearly 16,000 there had been the year before. To members of the Imperial Parliament who shared the worry of Canadians at being left undefended, Cardwell provided reassurances. "The true defence of our colonies is that they live under the aegis of the name of England, and that war with them is war with England. You are strengthening . . . your colonies, and increasing the power of England, when you generate in every one of the settlements . . . a spirit of British energy and self-reliance, for you consolidate . . . the strength of the mother country for their defence in time of need."

The year 1869 brought news of further reductions in the strength of the regulars, to take effect the following year. In addition the crucial decision was taken to evacuate Quebec, where the new fortified bridgehead on the Lévis shore had only just been completed. Canada railed, without effect, at what she considered an abnegation of imperial responsibility. But, engrossed in trans-continental nation-building and feeling more secure each year as the memories of the Civil War and the Fenians receded, she made little effort to strengthen her own defences. When the 200 men of the garrison of Fort Wellington at Prescott were withdrawn in October, 1869, they were replaced by 24 Canadian volunteers! The same attitude can be seen in Canadian approach to a larger question. Three years later, in 1872, the Dominion requested that a British guaranteed loan, which had been intended to assist in the construction of fortifications, be transferred to the more pressing task of building the Pacific railway. Great Britain fell in with this suggestion, recognizing that the transfer of funds from fortifications would have the useful effect of reducing the temperature across the American border.

The steady withdrawal of the regulars was delayed by the revival of Fenian scares in early 1870, but the movement began again following the outbreak of the Franco-Prussian War in July.

Finally, on November 11, 1871, Quebec was evacuated. The 60th Rifles, a colonial American regiment which had been present at the taking of Quebec in 1759, marched through the streets of the old walled city to embark for England. Thus imperial troops left the St. Lawrence after more than a century's service as the tangible expression of Britain's interest in the North American continent. Only Halifax, a base for the Royal Navy's North American and West Indies station, retained its British military garrison. The Royal Navy's Canadian base on the Pacific, Esquimalt, possessed an imperial garrison from 1898. British soldiers were withdrawn from both bases in 1906 and Canadian forces took over their defence.

To British Americans the military withdrawals seemed to mark the passing of all the old certainties. Canadians, and the inhabitants of the Australian and New Zealand colonies from which the troops were also evacuated, derived what comfort they could from the British pledge of 1870 that military withdrawal was "contingent upon a time of peace, and [is] in no way intended to alter or diminish the obligations which exist on both sides in case of foreign war". The evacuation of the regulars resulted in Canada acquiring a goodly number of military posts, whose grassy slopes and silent guns today provide sources of attraction for tourists from both sides of the border. It also resulted in a saving to the British taxpayer that has been estimated at £1 million a year. It thus removed, according to Canada's leading military historian, a sense of grievance in the relationship between Great Britain and her self-governing colonies. With the strain removed, the possibilities of creating a voluntary and still durable association, such as can be seen in the Commonwealth, were greatly enhanced.

The Accommodation with the United States

The rapprochement with the United States was undertaken with the same determination as the military withdrawals. It was also attended with the same success. Here the instruments were those of quiet diplomacy, carried out in London and Washington, with subsidiary consultations in Ottawa. A Canadian with international financial connections, Sir John Ross, paved the way, and another Canadian, Prime Minister Sir John A. Macdonald, sat on the British delegation that eventually concluded a treaty with the United States. The Treaty of Washington, signed in May, 1871, is one of the great triumphs of Anglo-American diplomacy. It settled most of the outstanding issues arising from the Civil War and reaffirmed arbitration as a guiding recourse in the reconciliation

of conflicting claims. The *Alabama* dispute went to arbitration, as did a number of boundary and fishery matters that had cried out for settlement ever since the war. With the Washington treaty the United States abandoned its long-standing interest in the annexation of Canada and accepted the possibility of "peaceful co-existence" in North America. The ghosts of Civil War tensions were laid. The way was prepared for the expression of a broadening community of interests between England and America.

W. L. Morton has pointed out how the British withdrawal from North America was paralleled by similar moves on the part of other European powers with interests in the continent. Russia ceded Alaska to the United States in the year of Confederation, while far to the south the execution of the Emperor Maximilian in June, 1867, signalled the collapse of France's Mexican empire. These countries recognized the emergence of the United States after the Civil War as the dominant power in the Western hemisphere.

Britain's reaction to the growing strength of America in the 1860's was somewhat different. Her world-wide responsibilities required her to accept the military consequences of the preponderance of American power in the New World. But she retained a substantial involvement in North America and safeguarded this interest by means of the deliberate cultivation of good relations with the United States. As Anglo-American harmony gained in substance and range, Canada's external position became more secure.

Thus was born, in the late J. B. Brebner's brilliant phrase, the "North Atlantic triangle". Politically, militarily, economically, culturally, the English-speaking nations of the North Atlantic developed common institutions and common patterns of behaviour. In this process Anglo-American relations have been of determining influence and importance. Bismarck is supposed to have said that the supreme fact of the nineteenth century was that Britain and the United States spoke the same language. This may be true but the historical record also indicates that understanding between the two countries came slowly and, at times, painfully. The Confederation of Canada, viewed as a response to the challenge of trans-Atlantic difficulties in the 1860's, made its own practical contribution to this reconciliation.

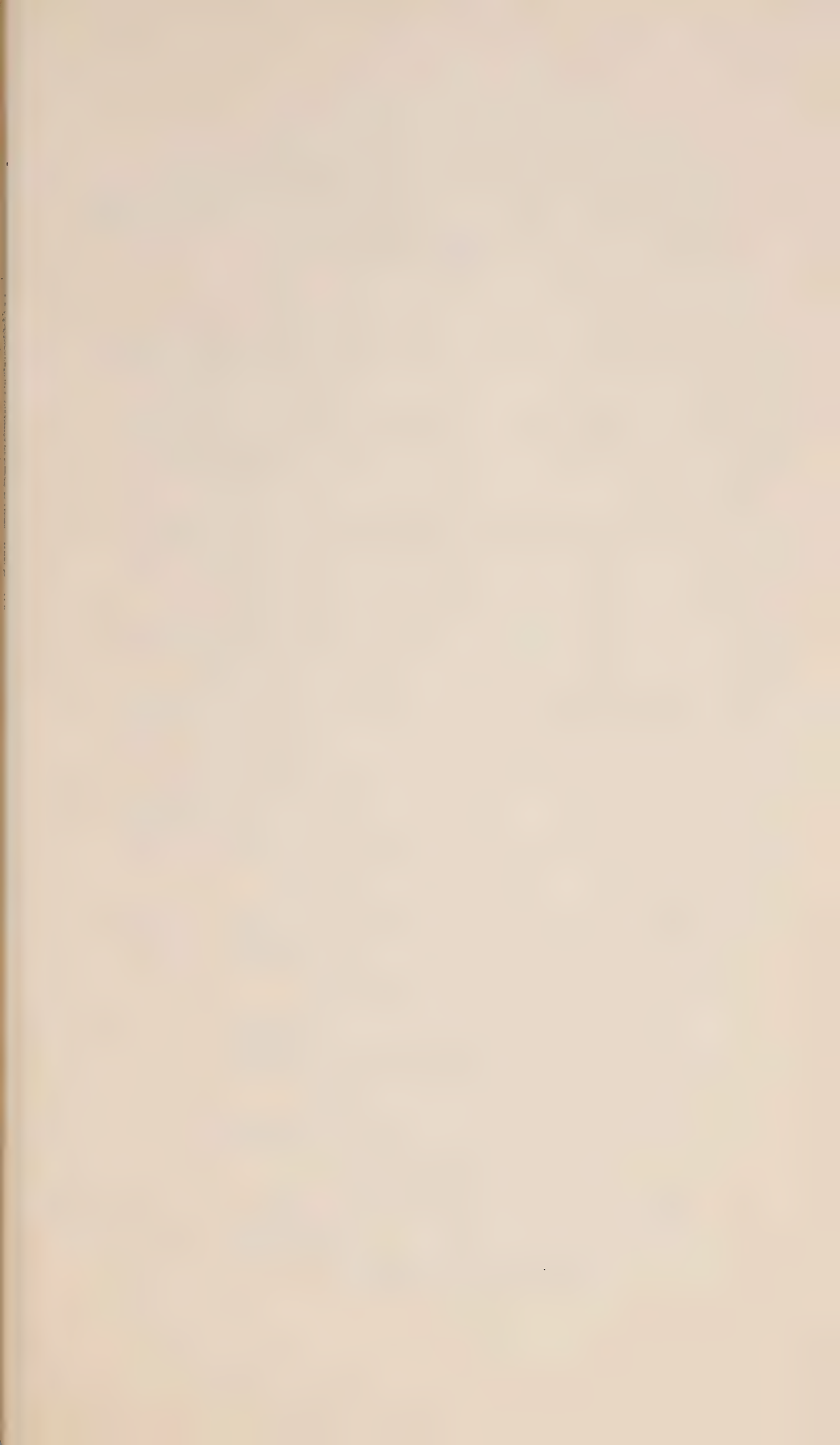
Similarly the union of British North America inaugurated a new phase in Canada's relations with Britain. The years after 1867 witnessed a change in the conduct of the relationship. The association became "political rather than colonial", diplomatic rather than administrative. Subordination and protection were replaced by

alliance and partnership in arms. The experience of two world wars and the foundation of NATO illustrate the fulfillment of Sir John A. Macdonald's interpretation of the external meaning of Confederation. In 1865 he had predicted, "Instead of looking upon us as a merely dependent colony, England will have in us a friendly nation . . . to stand by her in North America in peace or in war."

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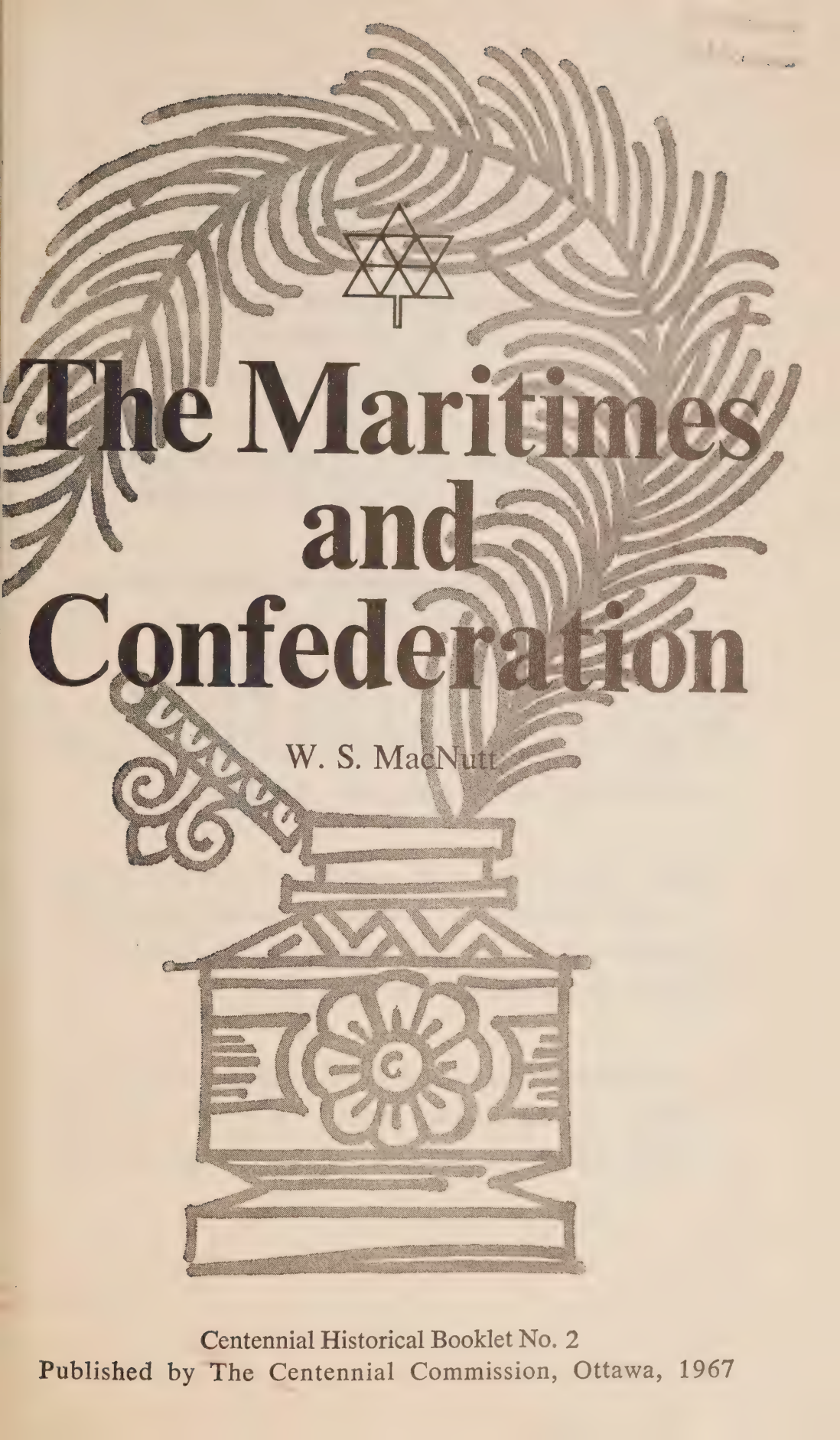
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The Maritimes and Confederation

W. S. MacNutt

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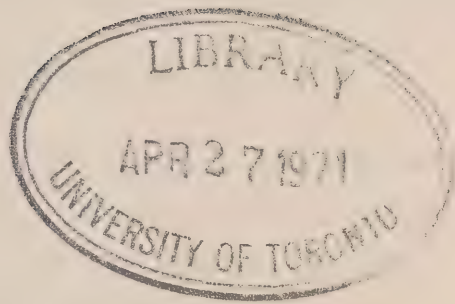


The Maritimes and Confederation

W. S. MacNutt

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THE MARITIMES AND CONFEDERATION

The idea of union of British North America was, at the outset, alien and sometimes offensive to the people of the four Atlantic Provinces, Newfoundland, Prince Edward Island, New Brunswick and Nova Scotia. The only ties that bound them to the Canadas were common citizenship within the British community and the common heritage of British political experience. When the idea was broached by Lord Durham in 1838 it was given scanty attention. It lacked realism because railways did not join them together and because they competed, rather than cooperated, in trade. Yet union with one another and with the Canadas was to come. External pressures rather than internal compulsions were responsible.

In 1860 all of these colonies were enjoying commercial prosperity based on an increasing volume of overseas trade chiefly with Britain and the United States. Trade with the latter country had grown remarkably following the Reciprocity Treaty of 1854, still more following the outbreak of the Civil War in 1861. Historically and commercially all of them had looked out across the ocean rather than inwardly towards the interior of the continent. Newfoundland was exclusively dependent on the sale of its fish in the Mediterranean and West Indies. Natural factors militated against, rather than for, union. It was not surprising that the Canadian proposal of 1858 for a conference on union had been received with ill-concealed disinterest and faint hostility. For the Atlantic Provinces in these years there was no problem that inspired political reorganization.

Charlottetown

Superficially a legislative union of New Brunswick, Nova Scotia and Prince Edward Island made an appeal to logical enquiry. Each of them was small and weak, incapable of any great volition of its own. Outsiders looking on were free with the advice that the proposal, if executed, would raise the level of public life, compel the people to raise their sights to the big problems that would face them in the future, reduce to a purely local level the large number of locally minded politicians who thronged provincial legislatures. Sir Edmund Head promoted the idea in 1855. It was advocated and applauded by lieutenant-governors Manners Sutton and Gordon of New Brunswick, Lord Mulgrave and Sir Richard Graves MacDonnell of Nova Scotia. Samuel Leonard Tilley, the chief minister of New Brunswick, gave private approval to the idea in principle but he had no firm basis of interest or conviction behind him in his province. Charles Tupper, the young and impetuous

leader of the Nova Scotia government, could summon a considerable degree of support for the plan. In Prince Edward Island, despite some initial talk to the contrary, there was absolutely no evidence of willingness to abandon provincial identity in union. But, in the spring of 1864, it was not difficult to persuade the three legislatures to pass resolutions favouring a conference on union. Persuasion came primarily from the lieutenant-governors. The rank and file of provincial politicians regarded such a conference as something like an academic exercise. Charlottetown was the only possible site for the conference as it was virtually certain that no Prince Edward Island delegation would leave the Island.

During the summer of 1864 the lack of interest in all three provincial capitals was so great that it was by no means certain that a conference on union, at Charlottetown or anywhere else, would ever be held. Maritimers were satisfied, even complacent, with the *status quo*. What compelled action was the Canadian initiative. When the Macdonald-Cartier-Brown coalition government at Quebec City politely proclaimed an interest in Maritime Union as a preliminary to a wider union, common decency dictated that a conference be held. Belatedly and in some confusion, Sir Richard Graves MacDonnell, the lieutenant-governor of the senior province, arranged for a conference at Charlottetown on September 1.

The extraordinary feature of this event was the alacrity with which the stated aim of the meeting was abandoned in favour of a wider but less complete union. Maritime politicians would not dare face their constituents on the premise that provincial governments and the prestige of provincial capitals should be discarded. They quickly succumbed to the proposition of the Canadians that a federal union was feasible. Federalism in principle was the general agreement at Charlottetown. Federalism would retain provincial identity and a fair measure of provincial authority.

The conference adjourned with the decision to reconvene at Quebec for the working out of details. Newfoundland was invited to send delegates. Over the next few weeks the federal idea was propagated as the Canadian delegates visited Halifax, Saint John and Fredericton. Tilley and Tupper echoed the prophecies of Thomas d'Arcy McGee that a new nation would extend from sea to sea. Yet amid the new enthusiasm there were skeptics and malcontents. As members of the Prince Edward Island government greeted their friends on the streets of Charlottetown there was overheard the remark that "There go the men who would sell their province."

Quebec

Delegates from the Atlantic Provinces to the Quebec Conference, where the detailed federal settlement was made, were selected from both government and opposition parties. They were as follows:

New Brunswick: S. L. Tilley, Charles Fisher, J. M. Johnson, E. B. Chandler, W. H. Steeves, J. H. Gray, Peter Mitchell.

Newfoundland: J. A. Shea, F. B. T. Carter.

Nova Scotia: Charles Tupper, A. G. Archibald, W. A. Henry, R. B. Dickey, Jonathan McCully.

Prince Edward Island: J. H. Gray, T. H. Haviland, E. Palmer, A. A. MacDonald, W. H. Pope, E. Whelan.

In the bargaining on the making of the federation the Canadians were a disciplined team with a prepared plan, guided by the dominating intellects of Macdonald, Cartier, Brown and Galt. The Atlantic Provinces showed no such unity. Their four delegations seldom adopted a common position. Individual members of a delegation frequently differed with one another on important issues. Though they could be outvoted the Canadians maintained with relative ease the great initiative they had established at Charlottetown.

It was only on the issue of representation in the legislative council (later to be designated the Senate) that the Atlantic delegates firmly resisted the Canadian proposals. Representation in the House of Commons, it had been agreed at Charlottetown, would be by population. With considerably less than a third of the projected population of the new union, the four provinces would be compelled to look to the second chamber as the guardian of their regional rights. They regarded the composition of the American Senate as an ideal mould within which their own second chamber should take form. If adopted the proposal would give Prince Edward Island the same representation as Canada West. But they did not have the solid base of provincial or state sovereignty on which to rest their case, as Rhode Island had at Philadelphia in 1788. Quite desperately they argued for a total representation of thirty-two members in the Senate against the twenty-four proposed at Charlottetown. They were obliged to settle for twenty-eight, ten each for New Brunswick and Nova Scotia, four each for Newfoundland and Prince Edward Island. Faith in the second chamber for protection of the interests of the smaller provinces was given additional emphasis by Prince Edward Island's sturdy resistance to appointment of its members by the federal government. Direct election

by the people or appointment by provincial governments seemed a method much more reliable. Among the Atlantic delegations it was a commonplace notion that in the new federation their provinces would hold the balance of power between the two Canadas.

The formula of representation by population for the composition of the House of Commons produced a sullen opposition amongst the Prince Edward Island delegation. A contingent of five members in a house of 194 would make provincial influence absurdly ineffectual. On the ground that the province had three counties and that five was not equally divisible by three, the delegation asked for a representation of six. They were not supported by the other Atlantic Provinces and had no hope of making a dent in the generally accepted formula of "rep by pop."

In the making of "the Quebec plan" there were small pockets of resistance among the Atlantic delegations to other of its main features. Edward Barron Chandler of New Brunswick fought a strong rearguard action to maintain wider powers for the provinces. George Coles and Edward Palmer of Prince Edward Island sustained this point of view even more strongly. But sentiment in favour of a powerful federal government was generally so strong that these isolated redoubts of dissent could not be held. Appeased by the promise of generous financial subsidies for their provinces in return for the surrender of revenues from customs and excise to the federation, three delegations cooperated in the working out of the grand series of compromises that made up the Seventy-Two Resolutions of Quebec. But it was almost certain that the majority of delegates from Prince Edward Island were bitterly opposed.

The Resistance

The proceedings of the Quebec Conference were conducted in secret. Publication of the detailed agreements early in November brought quick realization that provincial autonomy might soon be destroyed or at least greatly eroded. Furious opposition and violent passion resulted.

Prince Edward Island was a theatre of almost unanimous protest. Following their triumphal tour through the cities of Canada where all "the Fathers" were hailed as nation-builders, it became plain, on the return of the Island delegation to Charlottetown, that nation-building was not popular. The two delegates who professed greatest willingness to make sacrifices of provincial jurisdiction, John Hamilton Gray and Thomas Heath Haviland, lost all support, the former being thrust from his post of chief minister. In the

spring of 1865 the Island legislature, by a vote of 23 to 4, petitioned the Queen not to be included in any scheme of union. The fierce spirit of local independence, generated by George Coles and Edward Palmer, who were accused of using the unpopularity of the Quebec plan as a means of gaining power, was reinforced by the conviction that Confederation would do nothing to solve the Island's hundred-year problem of absentee landlords.

The delegation of Newfoundland, the most isolated and most highly individualist of all the colonies, had been surprisingly receptive to the Quebec proposals. For a time it appeared that Carter and Shea might lead the ancient colony into union in a surprisingly easy way. But one of the great bugbears of union, the high Canadian tariff and the increased taxation it might bring, was greatest of all in Newfoundland. Charles Fox Bennett, a leading banker and industrialist, led the campaign in defence of the cherished local independence. Doubts brought delay but as early as March, 1865, Hugh Hoyles, the premier, abandoned his intention to bring the Quebec scheme to his legislature.

The advocates of union in Canada considered that the refusal of the Island colonies to take action was merely regrettable. Their acceptance of nationhood could come easily with a turn of mind at a later date. But the accession of New Brunswick and Nova Scotia, the mainland colonies, was essential to the reorganization of British North America. New Brunswick's position was especially sensitive. Nova Scotia might decide in favour but her consent would be meaningless unless New Brunswick, "the keystone province," should concur as well.

From the outset the signs were ominous. As soon as the Quebec Resolutions were published a host of politicians and journalists representing a great range of opinion expressed angry opposition. Timothy Warren Anglin, whose *Freeman* was the voice of Irish Catholics in New Brunswick, delivered the certain opinion that everything in the Atlantic Provinces was being surrendered to the Canadians. Albert J. Smith, the exciting and influential member for Westmorland, could see a Canadian conspiracy and prophesied tyranny and oppression if union should come. The Nova Scotian reaction came more slowly but gathered still greater strength. William Annand, the proprietor of the *Halifax Chronicle*, became the spearhead of a sentiment, powerful among Halifax merchants, in total opposition to the Quebec plan. In January of 1865 Joseph Howe, whose popularity was so great and whose pen so influential, became the heart and soul of a movement to keep Nova Scotia out of Confederation. The Quebec scheme became "the Botheration

Scheme". Howe had always been an apostle for plans of imperial reorganization but his pride was injured by the leadership enjoyed in the union movement by his younger and upstart rival, Charles Tupper of Cumberland.

New Brunswick and Nova Scotia — Basis of Opposition

The unionists were handicapped by division within their own ranks. Especially in Nova Scotia there were many who believed that British North America could eventually become "a mighty state" but that the Quebec plan was too weak an instrument to bring the idea to proper realization. True union, it was argued, could come only with the reduction of the provinces to parish or municipal status. The Seventy-Two Resolutions proposed not only the preservation of provincial identity but a large authority for provincial jurisdictions. This group contained many of the more highly educated citizens of the two provinces. They enjoyed the favour of lieutenant-governors Gordon and MacDonnell.

Jealousy and distrust of the smaller Atlantic Provinces for the larger Canada emerged as a major factor when the debate on Confederation took form. All of them were old and well established political communities, each taking tremendous pride in almost complete control over its domestic affairs. As British colonies or provinces, the latter rapidly becoming the more fashionable expression, all were much older than the Canadian Union. Though they had made great material progress over the past fifty years, all were becoming conscious of being bypassed in the opening of North America and of being outstripped by the youthful Canadian giant. There was a general and considerably justifiable suspicion that they were merely being used by Canadian politicians to break the deadlock that had made government in Canada so difficult to maintain over the past ten years. And there was another conviction, also considerably justified, that Canadians were far more interested in westward expansion than in union with the Atlantic Provinces, that, if union were to come, their resources would be poured into the development of a westward system of transportation from which Canada alone would benefit.

Commercial speculation on possible consequences abounded. The Quebec Conference had promised the construction of the Inter-colonial Railway, a project that dated twenty years back, from Quebec City to Halifax. But knowledgeable men in the Atlantic Provinces were dubious of its alleged benefits and certain that it would never pay. Furthermore, the proposed route for the Inter-colonial, following the shore line of New Brunswick from Matapedia

to Chignecto, would by-pass the St. John Valley and the City of Saint John that contained two-thirds of New Brunswick's population. Tilley and the Confederates could give no assurance that the route would be changed.

New Brunswick and Nova Scotia had not yet been able to link themselves together by rail. Nova Scotia had but sixty miles of line between Truro and Halifax. New Brunswick, with its line from Saint John to Shediac, had been unable to establish rail communication with the United States, the darling project of Saint John's merchants. Both provinces, highly prospering from the Reciprocity Treaty, could easily and cheaply move their produce by sea in the great ships of up to fifteen hundred tons they were now building. It is not surprising that in a great many places there was a strong sentiment against additional railway construction. In both legislatures it was impossible to mobilize a consensus of opinion for the construction of any single line of rail. Always, it could be reasoned, but a single portion of the province would benefit while all would be taxed to pay.

To be tied to Canada by a system of tariffs and railway transportation was a distasteful prospect to the commercially minded. Local freedom in economic policy would be completely lost. Many small manufacturers professed to believe that their goods could be moved into the rapidly growing markets of Canada. They were ridiculed by the retort that they would be undersold in their own home markets by the expanding industries of Montreal, Toronto and Hamilton. Merchants, shippers and bankers preferred to look to traditional markets across the water rather than to Canada whose wares could advantageously compete with their own.

There were other factors based on cultural and religious differences. English-speaking Maritimers, approximately eighty-five percent of the population, looked with reluctance on a union with Canada whose population was so largely French in origin. The Acadians of New Brunswick, over twenty percent of the population, acquired a powerful bias against union although the Roman Catholic hierarchy of Quebec communicated the opinion that union would not be harmful. The Irish Roman Catholics of the same province, guided by Anglin, were proud of the position they had won in colonial society and turned against union almost to a man.

There were no compelling forces working for acceptance of the Quebec plan. Confederation would have to prove its case.

New Brunswick Bars the Way

The Quebec Conference had adjourned on the general agreement that the Seventy-Two Resolutions were to be submitted to the provincial legislatures. If passed, they were then to be submitted to the British Parliament whose acceptance would be necessary for passage into law. There was no doubt that the Canadian Parliament would pass the Resolutions because the overwhelming Macdonald-Cartier-Brown coalition had been formed with union as its guiding policy. But acceptance in the Atlantic Provinces was dependant on a wide assortment of caprices, prejudices and material interests. Neither Tilley nor Tupper had any assurance that their own party supporters would loyally accept the lead given to union.

Only three weeks after he returned from Quebec Tilley was forced to announce that he would not attempt to pass the Quebec Resolutions through the existing legislature. This meant, contrary to the injunctions of John A. Macdonald, that Confederation could become the great subject of debate in a general election. Convinced by the manner in which the people of New Brunswick recoiled before the novel and revolutionary proposition placed before them, Tilley knew that acceptance was possible only if considerable time were allowed for education and propaganda. His chief ally was John Hamilton Gray, leader of the Opposition. Party allegiances in New Brunswick were loosely framed and the Confederation party was to consist of both "Smashers," as Tilley's Reform following was called, and Conservatives.

The character of the fierce opposition was dictated by Albert J. Smith's *Letter to the Electors of Westmorland* which declared that, if union should come, the only relief would lie in rebellion. Tilley, it went on to say, had exceeded his legitimate mandate at Quebec, because, in consenting to the plan, he had not first consulted the people. The financial arrangements of the Quebec plan came under close cross-examination, the anti-Confederates being quite certain that "the glorious privilege of direct taxation" would come with union. In the Atlantic Provinces, it had always been boasted, taxation was light compared with that in Canada and the United States. Though not unknown, direct taxes on property, even in the larger towns and cities, were so moderate as to be almost negligible.

The radical and isolationist opposition of Smith and his followers was reinforced by the considerable body of opinion that believed the Quebec plan was a mere mockery of union, that the Seventy-Two Resolutions left the provinces far too strong. Many of these "centralizers" were convinced that the loose federation proposed at

Quebec would be simply a prelude to incorporation into the American Union, now approaching the end of its bloody civil war. Amid the confusion created by the sudden appearance of the Quebec plan on the Atlantic scene it was widely supposed that the proposals for union were anti-British in character. This was possible because the British Government had not yet publicly revealed its favourable appreciation of the federal scheme.

Tilley was not allowed the time he required to overcome the climate of hostility he so quickly encountered. The lieutenant-governor, Arthur Hamilton Gordon, had been conscripted as a member of the Confederation team. Throughout the autumn of 1864 he had expressed opinions so violently opposed to the details of the Quebec plan that he had acquired the reputation of an anti-union man. Reprimanded by the Colonial Office for his obstruction and urged to hasten the acceptance of the Quebec plan in every possible way, he now, in January of 1865, inserted the still powerful influence of the royal prerogative into the uncertain situation. He told Tilley that he must either confront the existing legislature with the Quebec Resolutions or appeal to the people for a legislature that would quickly accept them.

Tilley balked at the difficult choice and reluctantly decided upon a general election. In justification for his action Gordon argued that Tilley, the most respected politician in the province, could win an election on almost any issue, that New Brunswickers, concerned with the local politics of roads and bridges, would permit the scheme of Confederation to go through comparatively unnoticed. A quick decision in New Brunswick, he reasoned, would ease the path of Tupper in Nova Scotia who, by this time, faced opposition far more formidable than Tilley's.

Haste was what Tilley did not want for the case for Confederation had not yet been established. Strongly supported by his lieutenants, Charles Fisher, Peter Mitchell and John Mercer Johnson, he valiantly battled through an electoral campaign of six weeks. After February 28, when the returns commenced to arrive, it was quickly evident that the Confederate cause had suffered an overwhelming defeat. Every member of the house of assembly who had attended the Quebec Conference was defeated. Tilley lost in Saint John by 113 votes. In the new assembly the supporters of Confederation would be variously estimated at from nine to thirteen and would be outnumbered three to one. Gordon explained the defeat, so contrary to his predictions, by reference to the unpopularity of the Quebec details, the rejection of union by Newfoundland and Prince Edward Island, and by public distaste for Tilley's Smasher government which had been in office for ten years.

The debacle of the Confederates in New Brunswick appeared to strike the vital and finishing blow to the hopes of Confederates everywhere. In Nova Scotia, where Tupper had not found the courage to bring the Seventy-Two Resolutions to debate in the legislature, it now seemed that no battle would be necessary. The anti-Confederates of Canada, in a minority in their own legislature, found triumph in New Brunswick. At London, where the Colonial Office had found the Quebec Resolutions an acceptable expedient for British North American Union, there were regretful murmurs upon the eccentricities of a small province and upon the collapse of hopes for a new nation whose existence would lighten Britain's defence burdens.

At Fredericton Gordon called to office a curiously assorted government of anti-Confederates. It was headed by Albert J. Smith who opposed the Quebec plan because it left too little power to the provinces and by Robert Duncan Wilmot who disliked the plan because it left the provinces too strong.

Nova Scotia in Suspense

After two weeks of reflection in the aftermath of publication of the Quebec proposals, Nova Scotian opinion hardened against the plan of federation. In New Brunswick Tilley felt strong enough to meet the anti-Confederate onslaught in a straightforward way. Tupper did not dare risk his political fortunes and that of his unionist following in a general election. The majority of the provincial press turned against Confederation. Wealthy men of commerce and industry feared a radical departure from the great days of "wood, wind and water" that had made their fortunes.

The slogan of "sold for eighty cents a head," the amount per capita to be paid in subsidy to the province by the Quebec plan, spread like wildfire when William Stairs made a cost-accounting survey of what Nova Scotia would gain and what it would lose. Over \$4.00 per head in general revenue, it was argued, would be surrendered to the new federal government. In January of 1865, when Howe appeared on the scene to head the opposition, the general Confederate retreat began to appear as a complete rout. His *Botheration* letters were emotional rather than reasoning. But they aroused to fervour the old Nova Scotian instincts of pride and independence. Confident of success, the anti-Confederates gleefully challenged Tupper to appeal to the people.

Thrown into something like a shame-faced defensive, the usually domineering Tupper kept his legislature occupied with other matters

when it opened on February 9. All he could do was wait in hope that a Confederate victory in New Brunswick would give him confidence that the Quebec Resolutions might safely be introduced. His own Conservative party following was very unsure. His Liberal allies, Archibald and McCully gave him little strength.

When the black tidings came from Fredericton, Tupper was in a wretched position. To prevent the anti-Confederates in the assembly from introducing resolutions positively condemning the Quebec plan he revived the proposal for Maritime Union. This was little more than a smoke-screen, an elaborate and rather ingenious device to save his government from defeat and resignation. For nearly two weeks politicians fought the sham battle and Tupper was saved. Confederation seemed out of sight but a pro-Confederate government was still in office in Nova Scotia.

Britain Declares Displeasure

The Canadian Cabinet refused to admit defeat. Letters from Tilley and Gray were remarkably reassuring. Figures on the total vote in New Brunswick showed that the true margin of anti-Confederate victory had been narrow. Both were confident that a different decision would be reached in a second test of strength. Rather like a baited bear, Tupper at Halifax was waiting for an opportunity to break from his trap.

The key for a fresh initiative lay in London. Pressure from the British Government might soften the recalcitrance of the people of the Atlantic Provinces who were in ignorance of what British wishes might be. Macdonald and Cartier were aware of British need for political fusion in North America. Responsibility for the burden of defence was becoming perilously heavy as the American Civil War came to a close and as the victorious Union showed a vengeful disposition to punish the provinces for their alleged sympathies for the defeated South. Ever since the Trent affair of 1861 the British Government had been urging the provinces to arm themselves for defence. A single government for all could ensure defence with far greater efficiency and relieve the British taxpayer of heavy expenditures.

In April the formidable quartette of Galt, Brown, Cartier and Macdonald departed for London. Their business was threefold. They sought British aid in breaking down resistance to Confederation in the Atlantic Provinces. They would urge the maintenance of British military strength in North America until their new nation would be able to assume the burden. It seemed certain that new

markets would have to be found for the natural produce of the colonies for the United States had given clear evidence of intention to abrogate the Reciprocity Treaty.

The consequence of this visit was that Edward Cardwell, the Colonial Secretary, used the immense weight of British influence to persuade the governments and peoples of New Brunswick and Nova Scotia to reverse their course and reconsider union. His dispatch of June 24 to Gordon, published in New Brunswick and circulated through the other colonies, left no doubt in the minds of readers just where the British Government stood. Union on the basis of the Quebec Resolutions was declared to be its deep desire. Union was necessary for defence, for Britain would do little for those who would not help themselves. Unquestionably the dispatch achieved much of the effect intended for it. The lingering opinion that the Quebec plan was anti-British and pro-American in character was completely dispersed.

Maritime leaders visiting London in the summer of 1865 were directly exposed to strong reproof. Coercion was a word beginning to be employed in British official circles. Facing Cardwell in Whitehall, Albert J. Smith could say that he was proud of his colleagues in Fredericton who had drafted a somewhat impertinent reply to the dispatch of June 24. But there can be no doubt that he, as well as William Annand, who was also in London that summer, was chastened by this obdurate British stand.

In spite of New Brunswick's decision and the helpless position of Tupper in Nova Scotia it began to appear to the anti-Confederate leaders that the struggle against union had only just begun.

The Dilemma of Anti-Confederacy in New Brunswick

There followed what could be called a Canadian-British plan of strategy to convert the Atlantic Provinces to union. At Quebec City John A. Macdonald was warily watching every development, seeking an opportunity to reopen the debate. In London the Colonial Office, set upon securing union, instructed the lieutenant-governors to employ all their energies in advancing the cause of Confederation. New Brunswick was the critical province. As long as an anti-Confederate government sat in Fredericton the Nova Scotian supporters of Confederation had to wait in virtual silence.

Spurred on by London officialdom, Gordon felt confident that the electoral decision of 1865 could be reversed. Through the autumn his dispatches reflected supreme assurance that in one way or another he could bring an end to anti-Confederate domination.

He could count on the personal popularity and great influence of Tilley who was, however, out of the assembly. For quick results he was more inclined to precipitate a governmental crisis that would force the resignation of the Smith-Wilmot administration and bring to office a coalition of those who, accepting the inevitable necessity of union, would agree to the Quebec plan or to slight modifications of it. He was even willing to attempt the conversion of Albert J. Smith himself. For Smith and most other anti-Confederates had not opposed union in principle. What they had successfully opposed was the Quebec plan.

Events eased the way for the lieutenant-governor. Continued isolation for New Brunswick as a British province, but enduring the cold displeasure of the British Government, was not an attractive prospect in 1865-66. The Americans gave notice of the repeal of the Reciprocity Treaty and contemptuously turned their backs on the small provinces that attempted to open negotiations on trade. No money could be raised for Western Extension, the line of railway Saint John hoped would open rapid communication with the American border. Anglo-American relations were tense and the Fenian organization in the United States was threatening invasion of the province. New Brunswick voted large sums of money for its militia but this did not moderate British impatience. By the end of 1865 it was clear that opinion in favour of Confederation was rapidly mounting. The great question was: Would the Smith-Wilmot government move with it?

This ministry was becoming increasingly shaky. Wilmot, the believer in legislative union, attended a conference on trade at Quebec in September and came home with the conviction that the Quebec plan was now acceptable. This meant that the two leaders of the government were opposed to one another in principle. In November Anglin withdrew from the administration because he opposed its railway policy. In the same month there came a test of public opinion, a by-election in York, caused by the elevation of John Campbell Allen, another strong prop of the government, to the chief-justiceship. Charles Fisher, the Confederate candidate, fought a campaign in which Confederation was deliberately kept in the background. Taking advantage of the rising fears of Fenian invasion, he violently appealed to British and Protestant loyalties. Canadian money was poured into the constituency on his behalf. His victory, won behind a smokescreen of racial and religious propaganda, was hailed in Canada as an important turning of the tide in favour of Confederation. Facing black prospects everywhere, Smith entered a series of secret conversations with Gordon on the

premise that the government, if it could save face, should declare for union. At this stage it appeared to those aware of what was happening behind the scenes that the two men might arrange a political turnabout that would hasten New Brunswick's surrender to the Quebec plan or to something very like it.

The New Brunswick Election of 1866

Smith played a waiting game with Gordon, finally agreeing that, when the legislature should meet in March, a paragraph advocating union should be inserted in the Speech from the Throne. Another visit to Washington brought him no promise of trade concessions that might enable him to take a more independent course. On the border with Maine and all over the Atlantic area excitement arose as a large Fenian force assembled on the shores of Passamaquoddy Bay with invasion as its object. Gordon called out large detachments of the New Brunswick militia and powerful British military and naval forces arrived from Halifax. British patriotism ran high as the problem of how to defend New Brunswick became immediate. By reason of this external threat the case for Confederation gained immense support of a highly emotional kind.

Gordon waited patiently for Smith to announce a policy, to compromise himself publicly either for or against union. From Nova Scotia William Annand and other anti-Confederates counselled delay. At this difficult stage it would seem that both Smith and Annand were still strongly against union. But, if union should become necessary by reason of British pressure, each wanted to be in a position to dictate terms that would be favourable to their provinces. In the correspondence of the two anti-Confederates there was speculation on the possibility of a second conference that would replace the Quebec plan with a weaker federal constitutional structure, allowing considerably more jurisdiction to the provinces.

Gordon hoped the opening of the legislature would bring Smith into the open. But the chief minister chose vacillation and avoidance of the great issue on which London, Ottawa and Halifax were all awaiting decision. Even the pro-Confederate opposition in the assembly preferred delay and chose to play politics. Time was now the great factor in the calculations of all who wanted union. A general election would be necessary in Nova Scotia in 1867. Nobody doubted a result adverse to Confederation. Before Tupper should lose control of the legislature at Halifax it was essential that New Brunswick should show an abrupt initiative to produce a pro-Confederate government at Fredericton.

As the house of assembly debated for five weeks on matters of little importance Gordon decided the time for action had come. His confidence in his ability to use Smith as an instrument had now gone. The legislative council, the second chamber, where there was a pro-Confederate majority, gave him the opportunity he needed. Headed by Peter Mitchell of the Miramichi, the councillors presented an address praying for a measure to unite the colonies and specifying the Quebec plan as a preference.

What answer should the lieutenant-governor give to an address that was presented by the non-elected, non-responsible second chamber? According to constitutional theory he should act on the advice of his chief minister, Albert J. Smith, who advised that he should not act on it at all. But, taking full advantage of his strictly legal power to employ the royal prerogative and acting on British instructions to do all in his power to advance the Quebec plan, Gordon ignored Smith's advice and gave a gracious answer to the address of the legislative council. In doing so he flouted normal constitutional practice in Britain where the sovereign was bound to act on advice of responsible ministers. Following a series of furious interviews with the lieutenant-governor, Smith resigned office on April 10.

The great question, fiercely debated, whether or not Gordon had behaved improperly and unconstitutionally, now loomed large. In actuality he had in his support several colonial precedents of recent years that entitled him to take such a summary and arbitrary course. Probably the best criterion for constitutionality or unconstitutionality in the dealings of a lieutenant-governor with his ministers had been stated by the Duke of Newcastle in a similar Newfoundland case of five years before — that strong measures could be justified by but one result — success. The wisdom or unwisdom of Gordon's method for producing an initiative would be decided by the people of New Brunswick. A general election would again be necessary. By calling Peter Mitchell to office he acquired a pro-Confederate government. But Smith had a majority in the house of assembly and a new house would have to be summoned before the resolutions for union could pass.

There was little doubt of the result for this time Gordon had correctly appraised New Brunswick opinion. At first Tilley and the Confederates were embarrassed by "the Governor Cry" raised against him. But Smith and the anti-Confederates had only the bleak prospect of isolation in an unfriendly world to offer the people. It was now certain that Confederation was a British cause. In 1866 there was no chance of continuing good trade relations

and opening railway communication with the United States. For his successful campaign Tilley received something like \$50,000 in Canadian money. The construction of the Intercolonial promised prosperity for the North Shore. Fought from April to June, the campaign raged amid the exciting triumph of the dispersal of the Fenian "army" that withered away before the determined defence preparations of the New Brunswickers. Again there were strong racial and religious overtones.

The swelling Confederate tide was reinforced by the change of heart of the Roman Catholic Irish who suddenly deserted Anglin. Archbishop T. L. Connolly of Halifax had travelled widely in the United States and was convinced that the lot of his compatriots in the British colonies was far superior to what he had seen there. Sternly he set his face against the Fenians who derived no support whatever from the Irish of New Brunswick. The Archbishop could see annexation to the United States as the eventual alternative to Confederation and wanted none of it. A year before his bishops had urged their flocks to support Smith and Anglin. In 1866 they moved the entire Irish Catholic vote in the opposite direction.

Only eight anti-Confederates were returned to the new house of assembly. All came from counties with large Acadian populations, Westmorland, Kent and Gloucester. For reasons best known to themselves the Acadians refused to follow the injunctions of their Irish bishops. Elsewhere majorities for Confederation were very high.

Tupper Secures the Passing of the Resolutions

With great unease Tupper faced the opening of the Nova Scotian legislature of 1866. The initiative he awaited from New Brunswick had not yet come. Only one element had turned in his favour. The British Government had recalled lieutenant-governor Macdonnell and had replaced him with a native Nova Scotian, Sir Fenwick Williams, the hero of Kars. Williams, a good soldier, thought of British North American union primarily as a solution to the problem of defence and worked heart and soul for its advancement.

The anti-Confederates, too, were in great unease for division showed within their ranks. Having been exposed to so much British pressure during the previous summer, Annand was at first in a humour of compromise. Yet, during this critical session of the legislature, Joseph Howe brought his powerful influence to bear upon his old associate and Annand once again became a bitter opponent of any kind of union. The break in the anti-Confederate

front came on April 3 when William Miller, a member from Cape Breton, proposed a new conference on union in London. For years after he was called a traitor and betrayer.

Refusing to make use of this opportunity, Tupper waited for the advantage he had so long been denied, news of the breaking of the impasse at Fredericton. Even before the resignation of the Smith government was completed, he moved, on April 10, for the appointment of delegates to arrange a plan of union with the other colonies. After a week of frenzied debate, amid the fright of the threatening Fenian invasion of New Brunswick, the division took place. An amendment of the anti-Confederates, demanding an appeal to the people, was defeated. Tupper's motion was passed by the surprisingly large margin of 31 to 19. As in New Brunswick opinion was influenced by the foreboding circumstances of these exciting spring months. Annexationist sentiment, of which there was considerable in some parts of the province, was chilled by the hostile American attitude.

The way was now cleared for a union of the two provinces with Canada. New Brunswick had overwhelmingly voted in favour. Opposition there could never develop from a feeling that the rights of the people had been denied. In Nova Scotia the situation was entirely different. Tupper had secured the passing of the union resolutions from a legislature which, he knew full well, did not represent the feeling of the people. It was not surprising that "coercion" was to be the cry of a full-throated opposition, conscious of outrage and still determined to preserve the independence of the province.

The London Conference

In the summer of 1866 delegates from the two provinces proceeded to London for the last stages in the achievement of union. Excusing themselves by reference to the uncertain state of British politics and to their fears of a new Fenian invasion, the Canadians kept them waiting until November. Again the Maritime delegations were divided and undisciplined. Unlike the Canadians they were not committed to the detailed terms of the Quebec Resolutions. But they made no serious effort to force important alterations. Again they deferred to Canadian initiative, accepting without question the leadership of Macdonald. It was a Maritime delegate, name unknown, who moved that the new nation should be called Canada, a decision that up to this point had been dubious. Tilley has been credited with the proposal to call it a dominion after the British turned down Macdonald's request that it be called a kingdom.

One Maritime problem, just beginning to become a source of faction and rancour, that of separate schools for Roman Catholics, was discussed but not solved by the London Conference. The new British North America Act would guarantee existing rights to separate schools of the minorities in the two Canadas, the new Quebec and Ontario. Archbishop Connolly, supported by Bishops Rogers and Sweeney of Chatham and Saint John, appeared before the Conference to request that similar guarantees should be extended to the religious minorities of their own provinces. They were rejected on the ground that, under the federal constitution, soon to come into effect, education would be the jurisdiction of the provincial legislatures.

One heavy shadow hung over the London Conference. This was the presence of Joseph Howe, armed with all the righteous indignation and moral fire of tens of thousands of Nova Scotians who were convinced that they were being sold into something like bondage. This strong feeling was given form by Howe's remark that Nova Scotia would be "an idiot to embark in this crazy Confederation with a mongrel crew half French and half English" while the United States was on her doorstep. In spite of all his pamphleteering and lobbying Howe could assemble no important support in the British Parliament for his plea that the British North America bill should be delayed until after the next provincial election in his province. As an alternative to the confederation of the provinces he proposed a parliament for the entire British Empire, a grandiose project that was ignored by responsible British statesmen. Only John Bright, the aged free trader who believed that nature must take its course and that Nova Scotia must eventually be incorporated in the American Union, made any serious effort to oppose the passage of the bill.

Prince Edward Island Enters Late

On July 1, 1867 it appeared that Newfoundland and Prince Edward Island would never enter Confederation. In the Newfoundland election of that year the issue of union was not permitted open debate. On the smaller island isolationism reigned. In the New Dominion fears became general that Prince Edward Island would become a depot for smuggling and the free participation of Americans in the fishery. In Charlottetown there was strong sentiment that, if forced to close, the colony should take the lesser of two evils — annexation to the United States. By the consent of all Confederation became a dead issue. No politician publicly dared to espouse the cause. The slogan was "No terms."

The visit of General Benjamin Butler to the Island in 1868 excited alarm in Canada and Britain. A member of the United States Congress, Butler held out hopes of a Reciprocity treaty for the Island alone and, on his return, reported on the military value of Charlottetown harbour. The consequence was that in 1869 Sir John A. Macdonald offered "better terms" which were not seriously considered. In the election of 1870 the sympathizers of Confederation, not many, pledged themselves not to raise the question.

The Island settled its own future by the improvident decision to construct a railway. Amid the confusion caused by the rage for railway construction, sectarian strife, and the determination to buy up the remaining 398,000 acres of land in the hands of absentee proprietors, James C. Pope emerged as the most adroit politician of all. He was for Confederation but he could bide his time. The construction of the railway, attended by all kinds of mismanagement, brought about a realization of impending bankruptcy for the Island and the defeat of his Conservative government in March of 1872.

It was now becoming generally realized that only union with Canada could save the province from insolvency. The Liberal government of Robert Haythorne and David Laird sent a delegation to Ottawa and in February of 1873 secured terms far superior to those offered in 1869. But another election had to be fought. Taking advantage of the good will of the Catholic population whose favour he enjoyed because of his sympathy for separate schools, arguing that "still better terms" were possible, Pope and the Conservatives won by 18 to 12.

Patently the government at Ottawa granted the "still better terms" and Prince Edward Islanders were pleased with the bargain they had made. The Island Railway, with its heavy load of debt, was incorporated into the Intercolonial. Steam communication, winter and summer, was guaranteed with the mainland. The Dominion Government agreed to advance sums of money to buy up the lands of the absentee proprietors. Generous subsidies were promised to the province in return for its surrender of general revenues, along with a number of special financial concessions that made the bargain still more rewarding.

Newfoundland lingered much longer. Though negotiations promising for union took place in 1869 and 1894, it was not until 1949 that the larger island joined Canada.

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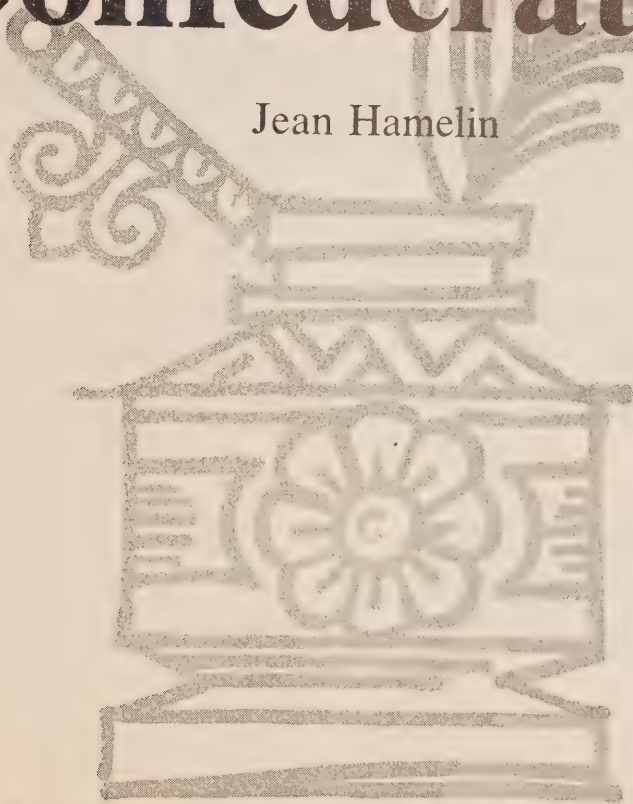
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THE FIRST YEARS OF CONFEDERATION

The opening of the first Canadian Parliament took place on November 7, 1867. During the reading of the speech from the throne by Lord Monck, the crowd which thronged the galleries was able to inspect the leading political personalities, who for three years had worked to fashion a new state: Sir John A. Macdonald, prime minister, and the great architect of Confederation; Sir Georges-Etienne Cartier, spokesman for French Canada; Alexander Tilloch Galt, specialist in finance and representative of the Quebec English element; Samuel Tilley, leader of New Brunswick and the most courteous of the delegates from the Maritimes; Charles Tupper, ambitious, shrewd, but incapable of rallying Nova Scotia, and the Irishman, Thomas d'Arcy McGee, the prophet of Confederation and, without doubt, the most intellectually-minded of the members.

Nevertheless, there were some regrettable absences. Perhaps the most remarkable was that of George Brown, the leader of the Clear Grits of Upper Canada, defeated in the riding of South Ontario. The crowd looked for the new provincial leaders Pierre Olivier Chauveau, prime minister of Quebec and deputy of Quebec Centre, and Albert Smith, former prime minister of New Brunswick. There was speculation about the real intentions of Joseph Howe, the Nova Scotia leader, who had come to negotiate the secession of his province.

On the ministerial benches sat the chiefs of the Conservative-Liberal coalition which had won a resounding victory in the elections of August and September. The Macdonald cabinet consisted of a coalition of the centre-right which took in the Conservatives and Liberals of Ontario, the Bleus of Quebec and the Reformers of New Brunswick. During the electoral campaign Macdonald had tried to form 'a grand party composed of moderate men' based on the principles of Christian tradition, the British parliamentary system and the concept of a federal state. He had facilitated the organization of a federal system by recognizing that each region had a right to ministerial representation. Ontario had five ministers, two Conservatives and one Liberal. Quebec, less densely populated, had four ministers, of whom three were French Canadians and the Maritime provinces had two representatives each.

It would have been wrong to suppose that Macdonald was leading a centralized party. He was rather the chief of a coalition of groups in which each obeyed a regional leader, rather than Macdonald himself. To keep the confidence of the majority, Macdonald knew that he must negotiate with these leaders. In this spirit the cabinet was to be, in a certain sense, a chamber of

political compensation, where the provincial spokesmen traded their support for national policies in return for concessions to their region. While the Governor-General was reading his speech, Macdonald, no doubt, was thinking about the bait that he would be offering Nova Scotians to persuade them to accept Confederation.

Confronted with 132 supporters of the government, the opposition, about sixty in number, was not very impressive. The familiar faces of Mackenzie, Holton, and Dorion were recognizable, but there was no common denominator between the factions which composed the loyal opposition, unless it was a profound antipathy towards Macdonald and Cartier. The Grits of Ontario were decimated and their chiefs beaten. Hardly a dozen had survived the greatest electoral disaster which the Clear Grit party had undergone in ten years. The Liberals of Quebec, sixteen in number, were more numerous, but more divided. At least four of them accepted Confederation. The others did not know whether they should become more flexible or join the eight Rouge members of the opposition from New Brunswick, of whom three had already shown their intention to support Confederation. They reminded people strangely of the 'loose fish' of the preceding period, who had been ready to join the side which was the stronger. As a matter of fact, only the Nova Scotians, led by Joseph Howe, knew what they wanted: to find out how to withdraw from Confederation.

All these men, listening gravely to Lord Monck declaring 'that the law of the Union has laid the base of a new nation', were conscious of the heavy responsibilities which weighed on them. Canada was an incomplete political creation, existing only in legal terms. Only Ontario, Quebec, New Brunswick and Nova Scotia belonged to this Confederation which had been constituted as a defensive reaction against the conquering imperialism of the American colossus rather than as a response to powerful geographic and economic factors. This was a weak base for a state. Moreover, how could the central government make itself the agent of a general consensus if no general agreement on its principles or objectives existed? How was the new state to function in the absence of such definitions?

The friction between Cartier and Macdonald at the London conference on the precise nature of the federalism set out by the constitution, showed that many questions were left unanswered. Would the predictions of Joseph Perrault, the ex-Rouge member from Richelieu in the legislature of the United Canada, prove to be true? "I declare without hesitation, that in case of a clash, we will find ourselves at the mercy of a hostile federal majority and

that it will be able to oppress us, assimilate our laws, suspend our judges, arm the militia against us and send us to the gallows or to exile in a fashion which it pleases, despite our protests, and those of the French Canadian minority in the Parliament", he had said.

I — *Territorial Achievement, 1867-1873*

Annexation of the West

One of the aims of Confederation was the creation of a vast home market, in which each region would be able to specialize because it would be assured of an effective demand for its products. Thus, an inter-provincial commerce would be substituted for an international trade. The achievement of this objective pre-supposed the annexation of the Northwest, until now only a reservoir of furs under the tutelage of the Hudson Bay Company. It was necessary to move quickly both to stimulate the provincial economies — the increase in the emigration to the United States was an obvious sign of a malady which was undermining them — and to counter the pressure which the pioneers of Oregon and Minnesota, who were accelerating their move to the north, were exercising on the territories.

On March 6, 1868, the legislature of Minnesota demanded the annexation of the Northwest. Moreover, the expansionist aims of the Canadians clashed with those of the American republicans, the proponents of the Manifest Destiny. After all, there was a great deal of talk in American political circles of demanding Canada as compensation for the damages caused by Great Britain to the North during the Civil War.

Thus, the eagerness of Canada to acquire Rupert's Land was understandable, the more so that, between 1860 and 1867, the tangle of internal and external factors which had maintained the status quo in the West was becoming undone. Lower Canada no longer feared a break in the political equilibrium in favour of Ontario and was now not opposed to the annexation of the West. On the other hand, there was the possibility that the American North, who since their victory in the Civil war no longer had their hands tied by the South, would consider expanding across the 49th parallel. In Britain the acquisition of Rupert's Land by Canada was facilitated because such an act now had the support of the Little England movement.

From the summer of 1867 on, the Canadian government had been constructing the Dawson route to link the Rouge River to

Lake Superior. In 1868, it sent Sir Georges-Etienne Cartier and William McDougall, the cabinet's most tenacious advocate of the annexation of the West, to London to negotiate the acquiring of these territories. The colonial secretary, the Duke of Buckingham, served as a mediator. The Hudson's Bay Company was to cede all its property rights to the Queen, who on December 1, 1869, would turn them over to Canada; but the company would keep its trading posts, enjoy its right to commerce, and receive from Canada 300,000 pounds sterling. It would retain one-twentieth of the area of the conceded lands, a fief which would be cut out of the fertile zone of the south. On June 22, 1869, the Governor-General of Canada signed the law which decreed that the lands of the company were annexed to Canada, as territory administered by a government and a council named by the Governor-General in Council and responsible to it. Without doubt this was to be only a provisional arrangement which was to be modified as soon as there was more ample information about the region and when its future had been decided.

There was an unknown area whose nature could be easily misunderstood. In its haste to forestall the invasion of the American pioneers and the annexationist intentions of the Republicans, Canada had only looked at the acquisition of the Northwest from the point of view of extinguishing the claims of the Hudson's Bay Company. It had forgotten the inhabitants of the Assiniboine, the colony founded in 1811 by Selkirk and now administered by a council named by the Hudson's Bay Company.

This society on the Red River, with a population of 12,228 souls, of which 5,720 were French Metis, 4,080 English Metis and 1,600 white, was riddled by diverse currents. The English Canadians, who had emigrated there a decade before, demanded annexation to Canada. Aware that an era of prosperity and speculation was about to begin, they were organizing commerce and carving out kingdoms for themselves. Their actions, as well as the prospect of the coming flood of immigrants, worried the Metis, who lived on the buffalo hunt and trade between St. Paul in Minnesota and Fort Garry. Would not settlement sap the economic foundations of their society? Poor farmers, accustomed to a semi-nomadic life, they feared they would not be able to adapt to an agricultural society. Louis Riel, whom Monseigneur Taché had sent to Montreal to acquire an education, made himself the spokesman for the Metis group.

Riel had the sympathy of the French and Catholic missionaries, who dreaded the birth of a new Ontario, west of Lake Superior. How

could it be otherwise? Ontario, overpopulated, lacking good land and searching for markets, was waiting only for the completion of the legal formalities before spilling its surplus of people into the West. On the other hand Quebec, less favourably situated than Ontario with respect to the West, would send only a few immigrants. Moreover, the Ontario thrust would be strengthened by the nationalist and racist ideology, known in our history as 'Canada First'. The proponents of the ideology of 'Canada First', conspicuously absent in Quebec, overlooked subtle distinctions between the political nation and the cultural nation, between nation and nationality. 'Canada First' wished to create a British nation without caring about the French Canadian community, even less about that of the Metis. There was, therefore, a good chance that the annexation of the West, which Cartier had thought should have been a common project of all the provinces, would become the enterprise of Ontario only.

The arrival in August, 1869, of the Canadian surveyors to locate the meridian, which was to serve as a base for the division of lands into townships, brought to a climax the fears of the Metis that they would be robbed of their land. This incident, combined with the law of June 22, 1869, which omitted a guarantee for the rights of the Metis, served the purpose of Riel, who at this particular moment was worried perhaps less about the titles of the properties than power; would the Metis become a minority in a political society dominated by the English? Supported by the Metis voyageurs and hunters, Riel decided on action. On October 11, he ordered the arrest of the surveyors who were marking out the region of Saint Vital.

Riel exploited to the maximum a situation which could not have been more favourable for stopping the annexation of the Northwest. Canada did not yet legally own the territory. It had neither a means of rapid communication with the West, nor an armed force on the spot to maintain order and to counterbalance the military power of the Metis. Moreover, Riel could count on the sympathy of some Americans, notably the promoters of the Northern Pacific, who wished to prevent annexation which would bring about the construction of a Canadian transcontinental railway. These facts explain how a handful of Metis were able, at this given moment, to dominate the situation in the Northwest and compel the Canadian government to negotiate with them.

Ottawa was uncertain about how to deal with the situation. Caught between Quebec, which sympathized with the rebels, and

Ontario, which demanded that they be crushed, the cabinet manoeuvred. To please Quebec it sent three negotiators to meet the provisional government formed by the Metis. To satisfy Ontario it despatched a military expedition to establish order on the Red River. The addition of British troops to the Canadian militia would also demonstrate to Americans that the mother Country supported the expansionist aims of the Canadians.

The conflict was resolved in Ottawa where the negotiators of the Assiniboine came to meet the Canadian government in the spring of 1870. They brought with them a list of demands, elaborated by a national convention and modified by Riel and Msgr. Taché: the status of province and not of territory, amnesty for the Metis, Separate Schools supported by the state and official bilingualism. These demands hardly suited Ontario, where the execution by the Metis of Thomas Scott, a member of the Canadian party condemned by a military court, had resulted in an explosion of anger. Nevertheless, the pressure of Quebec and the demands of the situation induced Parliament on May 12 to ratify a legal text which acceded to the greater part of the demands of the petition of the Metis. The Manitoba Act created a new province, gave it an area of 11,000 square miles and allowed it four members of Parliament and two senators. It drew its inspiration from Quebec; bilingualism was established by law, the legislative council was given the task of defending ethnic and religious rights and a system of Separate Schools was organized. The lands which had not been given to the province of Manitoba formed a unit known as the Territory of the Northwest and was administered directly by the Governor of Manitoba, assisted by a council named by the federal government.

Canada had forestalled the Americans, but at the price of a grave internal crisis. The rising of the Metis presaged the periodic blows with which the centralizing spirit of the constitution and central government struck each province in turn. In revealing these latent regional antagonisms, the incident of Red River indicated compromise as the foundation for the continued existence of the Canadian union.

But the annexation of the West had an even greater significance. It showed that both Great Britain and United States wished to see Canada become a continental state. Great Britain was happy to be freed from the responsibility of defending its former colonies and the United States, deeply committed to the Monroe Doctrine, were very pleased to see the last great European power withdraw its troops from the North American continent.

Entrance of British Columbia

The annexation of the Northwest opened the way to British Columbia. The Oregon Treaty of 1846 had recognized that the part of the Pacific coast that was situated between 49° and 54° 40' of the northern latitude, including Vancouver Island, was British territory. In 1866 this area was made up of two colonies and contained 10,000 inhabitants of English and American origin. That year, however, the two colonies were united into one, British Columbia. It was hoped that the pooling of the debts and resources of each colony would enable them to cope with financial crises brought on by the end of the gold rush. In effect from 1858 to 1862 — years characterized by the influx of gold prospectors — the colonial governments had invested large sums of money in the public services to cater to the needs of a rapidly-growing population. Now, the population had left, but the debts remained. The financial problem compelled the administrators to find some solution.

Two currents confronted each other. The supporters of the union with United States invoked the geographical and commercial factors and maintained that Great Britain was not interested in the colony. They had the support of American businessmen on Vancouver Island who exercised a great deal of influence on the economic life of British Columbia. The supporters of annexation to Canada were drawn from the mainland where the American influence was less strong.

The creation of the Canadian Confederation had raised great hopes in British Columbia. Would it not be able to assume the debts of British Columbia, as it had done for the other provinces? As early as 1867 the legislative council demanded annexation to Canada, but the Governor, Seymour, had paid no attention to it. Popular pressure grew stronger in 1868; a plan of annexation was outlined at a public meeting in Victoria. Governor Seymour, supported by the elected councillors of Vancouver, succeeded in check-mating the efforts of the council. Victoria supporters of annexation to Canada reacted by organizing the Confederation League, which extended rapidly to Westminster, Hope, Yale, Lytton and Cariboo.

It was London, once more, which decided the issue. In March, 1869, the Hudson's Bay Company turned over its privileges to the Queen, while the Canadian cabinet, well supplied with information by the editor of 'The British Colonist,' followed the events on the Pacific with attention. In June, 1869, the death of Governor Seymour permitted London to name a new governor, Anthony Musgrave, who was given the mission of arranging the entrance of British Columbia into the Canadian Confederation. To overcome the reluctance

of some civil servants, who feared for their position, Musgrave promised them pensions and appointments.

Thus, in 1870 an imposing delegation from British Columbia came to Ottawa to discuss the terms of the union. It was received by Sir Georges-Etienne Cartier who, in the absence of Sir John A. Macdonald, acted as prime minister. An enthusiastic Canadian government agreed to the following terms: to take over the British Columbia debt, to begin on three years time and finish in ten the construction of the transcontinental railway and provincial status for British Columbia. These proposals gratified the hopes of the delegates but worried the Ontario Conservatives. Cartier compelled them to agree by warning them that he intended to propose such a bill and that if defeated he would dissolve the House. This gesture of Cartier explained why one of the delegates of British Columbia, J. W. Trutch, wrote: "We must all remember in B.C. that to Sir Georges-Etienne Cartier and his followers in Lower Canada we owe the position we are now in and especially the Canadian Pacific Railway."

On July 20, 1871, British Columbia officially entered Confederation.

The Entrance of Prince Edward Island

Canada had reached the shores of the Pacific, but on the Atlantic side it did not yet include Newfoundland and Prince Edward Island. The latter had sent seven delegates to the Quebec Conference but its legislature had refused to ratify its entrance into the Canadian Confederation. Alone among the delegates, J. H. Gray, the prime minister, and W. H. Pope proved themselves to be ardent defenders of Confederation. At the time of the debate on the project in the legislature of 1865, the opponents of Confederation had formulated their objections: union would alter the flow of trade and oblige the island to buy Canadian-made products; the increase in tariff would interfere with commerce with the United States; the island would pay for great enterprises which would profit the West; representation by population would result in Prince Edward Island being swamped by Canada; without Crown lands the provincial legislature would not be able to finance itself.

These were formidable objections, but neither Great Britain nor Canada would be stopped by them. They had time on their side. On March 17, 1866, the Reciprocity Treaty expired. This was a hard blow to the island. Its exports to the United States fell from 120,928 pounds sterling in 1865 to 21,633 pounds sterling in 1866. New negotiations for reciprocity with the United States were attempted in 1868, but the colonial secretary pointed out that

this was the responsibility of the Imperial Government and in 1869, he ordered that in the future, communications of a diplomatic character with United States were to be carried on by the Governor-General of Canada. During this time Canada kept up its pressure. In August, 1869, Cartier, Tilley and Kenny, visited the island to establish official contacts. During the summer of 1870, Macdonald spent his holidays on the island. The opposition of the islanders, however, seemed unshakable.

It was the difficulties of financing a railway, begun in 1871, which led the local legislature to revise its position in 1873. By that time it had acquired a deficit of two and a half million dollars. But where would it find the money, if not in Canada? Exchanges of notes were followed in March, 1873, by a delegation from the island. As a result of the negotiations Canada agreed to take over the debt of the island on the basis of \$50 per head, to raise the money to finance the railway; to grant an annual subsidy of \$25,000 so the province would be able to meet its local administrative expenses; to establish an efficient boat connection with the island and allow \$800,000 as compensation for the loss of Crown lands, if Great Britain would not give them to the island. London decided on July 1, 1873, as the date of the official entry of P.E.I. into Confederation. Governor Dufferin, visiting the island some weeks later, wrote to Macdonald: "The impression here is that it is Canada which has been annexed. I did nothing to disillusion them."

II — *The Setting up of a State, 1867-1872*

While the Federal Government was attempting to complete its territorial expansion, it also had the task of consolidating Confederation and establishing the machinery of political and economic institutions. This was not a light task.

a) *The Pacification of Nova Scotia*

During the first session, the Canadian government found itself confronted with the threat of the secession of Nova Scotia, where the idea of Confederation had never been popular. The Nova Scotians could not see how a union with other colonies would solve their domestic problems. What would the annexation of the Northwest or the protective tariff do for them? Would the economy of Nova Scotia be able to compete with the manufactures of Quebec and Ontario? What influence would the Nova Scotian members have in the Canadian Parliament? No, the fine phrases of the visionary, Tupper, had not convinced anyone. Joseph Howe, prime minister of Nova Scotia from 1859 to 1863 — perhaps angry at having

been ousted from the political scene by Tupper — had not been slow to do everything he could to direct the popular opposition to the scheme. The vigorous press campaign against Confederation, which he had begun in January, 1865, in the *Morning Chronicle*, had prevented Tupper from taking a vote on the 72 Quebec resolutions in the Legislature of Nova Scotia. Thus Nova Scotia had been brought into Confederation, based on the Quebec resolutions, without having approved them. This undemocratic procedure offended the people, who at the election of 1867 voted the anti-confederationists into office. The latter took 35 of the 38 seats of the provincial legislature and 18 out of the 19 of the Nova Scotia seats in the Federal House.

Macdonald was very much afraid that the Nova Scotia members would boycott Parliament at the first session. Howe, however, contented himself with maintaining that Canadian affairs did not interest him, that he would not undertake a systematic opposition and that the only thing he demanded was the repeal of the Union. Howe's calmness, however, was deceptive. In February, 1868, the Nova Scotia Legislature, which was under the domination of Prime Minister William Annand, denounced the Union, drew up a petition for its repeal and sent a delegation, led by Howe, to London. The die was cast. The Canadian government on its part dispatched Tupper to plead the cause of Canada.

It was up to London and the British government completely rejected the position of Nova Scotia. The Canadian Confederation was a master stroke in imperial policy at that time. Great Britain so wished to retire from North America to lighten her military burden and quieten American fears. Yet she had arranged to halt American expansion by the creation of another continental power and so maintain her influence. The withdrawal of Nova Scotia threatened to break down the Canadian barrier and allow the United States to take over the whole of North America. The colonial secretary made it clear to Howe that the mother country would never accept the secession of Nova Scotia, but softened this declaration by adding that she wished, if there were need, that Canada rectify the grievances of the maritime province.

Howe had no choice. His loyalty to the Empire would not allow him to consider annexation to the United States as a possible solution. The only thing left for him to do was to press for better financial terms for Nova Scotia. During his stay in London he worked out an agreement with Tupper. But it was going to be difficult to convince his supporters and even more so to come out of the situation gracefully.

In June London announced its refusal to agree to the secession of Nova Scotia. A month later Howe reported on the results of his mission to his supporters in Halifax. Macdonald, Cartier, Tupper and Sandfield MacDonald decided to go there to discuss matters with the anti-confederationists. By offering better financial terms, Macdonald calmed his Nova Scotian opposition; they promised to reject annexation to the United States and use only constitutional plans to achieve their demands. This was a long step forward on the path of reconciliation. Exchanges of notes prolonged the Halifax discussions. On October 26, 1868, the *Morning Chronicle* published a letter by Howe, which demanded the sending of a delegation to Ottawa.

The representatives from Nova Scotia arrived at Ottawa the following January. The adjustment of the federal subsidies was discussed. The Canadian government agreed to raise the annual subsidy from \$63,000 to \$82,698 and to assume a large part of Nova Scotia's debt. This financial readjustment kept Nova Scotia in Confederation, but it was not a satisfactory settlement because it created a dangerous precedent. Had not the Fathers of Confederation decided that federal subsidies would be fixed and immovable to avoid them becoming an instrument of pressure in the hands of the Federal Government, and provide an opportunity for further bidding on the part of the provinces? Moreover, the agreement failed to bind Nova Scotia closer; it felt itself sacrificed in the name of imperial policy and the supposedly more important interests of Canada. During the whole of the 19th century, anti-confederationist sentiment remained strong in Nova Scotia.

b) *The Treaty of Washington*

Peace prevailed in the East, but there remained doubts about the South, where the Americans did not appreciate the birth of a new state which proposed to share the North American continent with them. Canada had no interest in living under conditions of conflict with its powerful neighbour, whose trade it needed and whose military strength it could not match. To ease Canadian-American relations, then, was one of Ottawa's major concerns. But how to proceed? The United States showed itself to be grasping: it wished the right to fish in the Gulf of St. Lawrence without compensation.

The question of fisheries, however, was very straightforward to the Canadian government. The Treaty of Versailles in 1783 had granted the Americans the right to fish in the Gulf of St. Lawrence and on the banks of Newfoundland. The convention of 1818 had excluded the Americans from the internal Canadian fisheries, but had conceded them certain rights on the coasts of

Newfoundland and Labrador. In 1854, the Canadians had traded the internal fisheries for a reciprocity treaty. Thus, the non-renewal of the reciprocity treaty, in 1866, gave the Canadians the legal right to exclude Americans from the internal Canadian waters. For this reason, in 1866 Canada had demanded a minimum tax on American boats and in 1868 it had sold fishing permits to them. The intentions of the Canadian government were evident: it wished to compel the Americans to renew reciprocity in exchange for the right to fish. But the Americans considered that the claim of a three-mile limit by Canada was illegal and took offense at the presence of British cruisers, sent to enforce the Canadian law.

Thus the question of fisheries was threatening to embitter Canadian-American relations when Great Britain, in the autumn of 1870, decided to settle her differences with the United States. This was one of the key points of Gladstone's program for dealing with the international situation. The intentions of Prussia, now at war against France, troubled the British. More worrisome still was the decision of Russia to break the clause of the Treaty of Paris which in 1856 had neutralized the Black Sea. Great Britain would not hesitate to make a *casus belli* of the Black Sea question, but would she be able to plunge boldly into European affairs without repairing the relations with the United States which had deteriorated during the Civil War? On their side, the Americans realized that Great Britain would never give up Canada and that the Canadians did not desire annexation. They were convinced that they would gain by settling their difficulties amicably with Great Britain, at a time when under the exigencies of the international situation the latter was ready to pay the price. Moreover, they were left free to hope that the creation of Canada would end in failure and so lead to the gradual annexation by the United States of the whole continent. For the present, the American president, Ulysses S. Grant, and his secretary of state, Hamilton Fish, believed that the time had come to compel Great Britain to recognize the supremacy of the United States in North America.

It was under these conditions that a commission to settle Anglo-American conflicts met in Washington during the winter of 1871. Hamilton Fish headed the American and Lord Grey the British delegations, which included the prime minister of Canada, Sir John A. Macdonald. The points of the agenda were the question of fisheries, the dispute on San Juan, the Alabama affair, navigation on the St. Lawrence and reciprocity. The Americans had refused to discuss the Fenian question.

From the beginning Hamilton Fish showed himself to be a shrewd negotiator. Using the favorable combination of international

circumstances and the divisions within the British delegation, he won an agreement highly favorable to the Americans. In effect, Lord Grey, who had received instructions to re-establish harmony, tended to settle all questions at the expense of the Dominion. Macdonald who, in principle, represented Great Britain, was, in fact, more concerned about Canadian interests. He considered that only reciprocity would be a satisfactory compensation for the right to fish in Canadian waters. The position of Macdonald was weakened by the intrigues of Governor Lisgar who, without the knowledge of Macdonald, was in contact with the British Ambassador in Washington and moreover, tampered with the letters of Macdonald before sending them on to London.

The discussions dragged on. A treaty was not signed until May 8. The Americans obtained the right, in perpetuity, to navigate the St. Lawrence River and the Great Lakes. They won concessions in the San Juan dispute. A court of arbitration would decide the Alabama claims and those of the fisheries. The treaty was entirely to the advantage of the Americans. Canada did not receive any compensation for the Fenian raids, it failed in the attempts to have the reciprocity renewed; it only obtained the right of navigation on Lake Michigan and on the three rivers of Alaska. The Treaty consecrated the supremacy of the United States in America.

Macdonald had hesitated a great deal before signing a treaty by which Canada would pay the cost of Anglo-American reconciliation. The idea of withdrawing from the delegation occurred to him, but he feared that this would play into the hands of the anticolonials in London, who disapproved of a prime minister of a colony being a member of so important a commission. He preferred to sign and to risk his career before Parliament for, to become valid, the clause which had dealt with fisheries needed to be ratified by the Canadian Parliament. Moreover, he had not completely failed. He was able to claim that he had safeguarded and obtained the essential thing: the treaty did constitute an official recognition of Canada by the United States. He had prevented the concession to the Americans of the rights or territories which would have crippled the growth of Canada.

Macdonald took his time in having the treaty ratified by Parliament. He wished to draw the greatest advantage possible from the situation. He wrote Gladstone that he would ratify a treaty, so unfavourable to Canada, only on the express condition that the mother country would undertake to finance the Canadian trans-continental railroad. Gladstone was startled, but the turn of events did not leave him with any choice. At Geneva the English and

the Americans were not able to agree on the damages caused by the *Alabama*. Both sides seemed ready for an open break. Gladstone did not wish to halt negotiation without being sure at least that the question of the fisheries, a clause essential to the treaty, would be ratified; he therefore promised Macdonald a guarantee of 2,500,000 pounds sterling for the construction of the transcontinental. Macdonald then submitted the clauses of the treaty to Parliament which, on May 3, 1872, ratified them by 121 votes to 52.

c) *The New Brunswick School Question*

While Macdonald was attempting to safeguard the future, the New Brunswick government, in abolishing its Separate Schools in 1871, was raising the problem of the nature of the agreement of 1867. The school question was all the more explosive because it emerged at a time when the passions raised by the Riel affair had not yet died down, and because it was an issue of conflict between two different ideologies. Catholics believed that education should be completely dominated by moral and religious teaching and that the state should be only a protector of the right of the family to direct such instruction. On the other hand, Protestants considered that religious teaching was an exclusive function of the family and the church should either have no connections with the school or only the right to a minimum of teaching acceptable to all Christian beliefs.

As a matter of law, the question was simple. The constitution of 1867 guaranteed denominational schools to those religious minorities who had enjoyed such legal rights at the time of their entry into Confederation. Now the catholic Acadian minority had no such legal claim; for the law of 1858 had affirmed implicitly the non-religious character of schools. It had stipulated that religious exercises should be free and that the Bible should not be used to inculcate dogmas. Acadian schools were tolerated but they had no legal status. The law of 1871 went still further in stating explicitly that the schools would be non-denominational. It gave the Department of Education the task of delimiting and defining the religious exercises and instructions. These rules, made public in November, 1871, no longer allowed any tolerance. Article 22, among others, prohibited religious symbols on the walls and on the person of the teacher.

As soon as they were known, these rules became the grounds on which the opposing forces clashed. The catholic Acadians hurried to ask the federal government to disavow the law. The Liberals, happy to embarrass the government, supported the Acadians. The Quebec hierarchy, an important element in the Liberal-Conservative coalition, demanded justice for the minorities. Ontario, where the

'Canada First' movement had not forgotten its defeat in Manitoba, again revived the bogey of *French Domination*. To protect its autonomy, New Brunswick threatened to secede, if the federal government intervened. Tilley, it was said, was preparing his letter of resignation from the Macdonald cabinet.

On the political level, the situation was confused. The Canadian government had the power to disallow the New Brunswick law by arguing that this law was contrary to the national interests. But was it expedient to act in this fashion? Macdonald thought not. He was afraid of raising the anger of a province as powerful as Ontario and he gambled, not without some basis, on the crumbling of the coalition which opposed the school law. Moreover, he believed that the hierarchy would not risk the coming to power of the remnants of the Rouge groups. The refusal of Macdonald, in 1872, to disallow the New Brunswick law constituted a dangerous precedent. In declining to establish a connection between the right of the minority and the general interests of the country, Macdonald was interpreting the constitution in a rigorous fashion and allowing free play to forces which were working to build a body politic that would be unilingual and British. Groulx notes with justice that this decision of Macdonald founded a state on the legal and political inequalities of the races, that is to say on perpetual discord.

For the moment, nevertheless, Macdonald seemed to have acted astutely. Little by little, the tension vanished. The hierarchy, conscious that the Liberals would hardly do any better in power than the Conservatives, did not adopt a rigid stand. The Quebec Conservatives avoided breaking up the coalition. The New Brunswick government, itself, offered a compromise, following the riots of Caraquet. On August 6, 1875, it made a number of concessions which allowed Catholics to organize themselves and friars and nuns to teach. It was a precarious *modus vivendi*, the calm before the storm which was going to break in Manitoba. But, and this is what Macdonald wished, the federal elections were going to take place in a peaceful atmosphere.

III — *The Liberal interlude, 1873-1878*

a) *The Elections of 1872*

The federal elections took place from July 20 to October 12, 1872. There were 200 ridings to fill, of which 88 were in Ontario, 65 in Quebec, 21 in Nova Scotia, 16 in New Brunswick, 4 in Manitoba and 6 in British Columbia. The vote took place by open ballot and at a date which varied from one region to the other.

The Liberal-Conservative Coalition expected to win, but it knew that the fight would be a tough one. It had not only successes to show on its record. It had certainly united territories, but it had not created an understanding among the men who lived in them. Ontario felt ill at ease, jammed between a bi-cultural Quebec and a bi-cultural Manitoba. Ontario farmers asked themselves about the bill they would have to pay to construct the transcontinental, and they were disappointed that the Americans had been able to seize the Canadian fisheries without being compelled to open their doors to the Canadian agricultural products. Edward Blake, the new prime minister of Ontario, was in a process of organizing all the opposition. In Quebec, the Scott affair and the New Brunswick school question had revived the nationalist feelings of the Rouge and the Ultramontanes. Everything seemed to indicate that nationalism would become a common denominator, strong enough to rally the Rouges and the Ultramontanes in a fight to the finish against Cartier and the moderates. The Maritimes felt themselves abandoned and displayed the airs of martyrs. The anticonfederationists of Nova Scotia felt deeply grieved about their situation. Killam, deputy of Yarmouth, affirmed: "The interests of the Maritime Provinces were treated as a simple component in the balance in order to enlarge the egotistical interest of the Great Ontario Parties."

Thus, enough griefs had accumulated to defeat many governments. But still, only a vigorous and dynamic opposition would be able to take advantage of the situation. But the opposition was divided. The *Grits* conducted a provincial campaign and went back to their traditional themes: exaggeration of government expenses, electoral corruption, *French domination*, spoliation of parliamentary rights by the government and the dictatorship of banks. In Quebec, the opposition organized themselves under the banner of the Parti National. It was curious to see how the Ultramontanes and the Rouges worked together against the Bleus. Had the common Quebec front, desired so ardently by all nationalists, been formed? "The greatest danger for us, is the national struggle. We fear for our rights and privileges which we have been allowed up to the present. We have three adversaries instead of one to fight and to satisfy the danger is three times as great", wrote one nationalist paper.

The Parti National had drawn up a program: provincial autonomy, reform of public administration, commercial independence of Canada, tariff protection and reform of the Electoral Laws. In the Maritimes and in the West, the electoral contests were fights of personalities and there, regional interests dominated the election speeches.

The results were close. Ontario elected about 32 Conservatives and 50 Liberals or Grits; Quebec chose 38 Conservatives, 6 Independants and 21 Nationals. The defeat of Cartier was an important event in Quebec. However, he succeeded in having himself elected by acclamation in Provencher, a riding in Manitoba. The Liberal-Conservative coalition remained in power, but its margin of security was reduced; it had only at its disposal a floating majority of from 10 to 30 members in the House. Macdonald would have to use all his gifts of strategy to keep himself in office.

Meanwhile, during autumn of 1872, rumors of a shady bargain between Montreal financiers and members of the Conservative party began to be heard. They concerned the building of the transcontinental which Cartier had promised British Columbia in 1871. Indeed, at the time of his return from Washington, Macdonald had undertaken talks with financial circles interested in the construction of such a railway. Two groups wished for the contract: one in Toronto directed by David Macpherson, a personal friend of Macdonald, and another in Montreal, headed by Hugh Allan. The Montreal financier had the support of many Americans, especially the promoters of the Northern Pacific Railway. Macdonald, who on the eve of the elections had not wished to offend either group, permitted the incorporation of two companies: the Interoceanic Railway representing Toronto interests and the Canadian Pacific Railway, the organization of the Montreal group. Macdonald had reserved the right to allow only one charter, thus hoping that the two groups would agree of their own free will to combine their interests. But each of the two groups posed such conditions as to make an agreement impossible. At the request of Cartier and Macdonald, Hugh Allan had financed a part of the 1872 election campaign of the Conservatives on the condition, however, that he would be named the president of the future company, that the Montrealers would possess the majority of the capital and the company would receive subsidies from the government. Macdonald and Cartier agreed to these terms, but they had demanded that Allan break his connection with the Americans whose presence seemed suspicious. Why had these promoters of an American transcontinental railway interested themselves in building a Canadian one? When, in December, 1872, Macdonald prepared a list of the directors of the future company, the Americans demanded to be included; if not, they threatened to disclose the elaborate agreements made during the election campaign to the Liberals. Macdonald refused to yield to blackmail. For him it was out of the question that the transcontinental, which was going to be the backbone of Canada, should be run by the promoters of the *Northern Pacific Railway*.

On April 2, 1873, Lucius Seth Huntingdon, the member from Shefford, got up in the Commons and demanded an enquiry. The scandal broke out. Macdonald clung desperately to power, while Cartier, sick, went off to England where he was to die a few months later. During the summer the newspapers published the incriminating documents. On October 23, a great debate opened on the nature and morality of these transactions. Macdonald defended his action fiercely. He won the sympathy but not the votes of the members. He resigned on November 5. Lord Dufferin called on Alexander Mackenzie, a Liberal from Ontario, to form the new cabinet.

b) *The Mackenzie Government*

Swept to power by accident, the opposition was not ready to govern. They did not form a coherent party and lacked leadership. Alexander Mackenzie, a former mason, doctrinaire, lacking magnetism, austere and scrupulously honest, had been recognized as the leader of the opposition, but he had not the quality of a prime minister. He succeeded in neither asserting himself nor compelling unanimity. There were two tendencies among the Ontario liberals: the conservative wing, influenced by the editorials of George Brown, and the progressive wing, grouped around young Edward Blake, the brilliant but unstable lawyer, who was sympathetic to the "Canada First" movement. Mackenzie had no support in the Maritimes or in the West, except for a few Independents or Conservatives who had rallied recently with the hope of participating in the office. The Liberals of Quebec, broken up into radicals and moderates, had no more cohesion than the Ontario Liberals. It was a mosaic of factions, without cohesion, who had taken power. The composition of the cabinet revealed this situation very clearly. Of fourteen ministers, six were from Ontario, three from Quebec, two from Nova Scotia, two from New Brunswick and one from Prince Edward Island. Neither Manitoba nor British Columbia were represented. The sudden elections of 1874 assured Mackenzie a good majority but did not give any more cohesion to the party.

Moreover, the Liberals had bad luck. At the moment that they took power, the financial crash of the Austrian banking system led to a sharp downturn in international conditions. This crisis was followed by severe depression from 1873 to 1878, which dried up the sources of revenue of the government. The dead weight of the depression pressed down heavily on the policies of Alexander Mackenzie.

Deprived of financial means, lacking audacity and imagination, the Mackenzie cabinet was incapable of developing a dynamic national policy. It depended a great deal on a reciprocity treaty

with the United States to give the Canadian economy a boost, but George Brown, in 1874, failed in that mission to the United States. Moreover, by temperament and tradition the Ontario Liberals were opposed to a dynamic intervention by the state in the economic life. The only thing that Mackenzie could do was to follow a timid policy in which the Grit themes of 1850 dominated: economy in public expense, free trade, independence of Parliament and improvements in the electoral law.

These circumstances explained the cautious railway policy of Alexander Mackenzie. Unable to interest capitalists in this venture, he asked the minister of public works to undertake the construction of a series of lines between the lakes so as to link Manitoba with Lake Superior, begin the section in British Columbia and press the surveyors to finish mapping out the future route. Yet, the pace of work was too slow for British Columbia's taste, which in its turn waved the boggy of secession. Lord Dufferin undertook to visit the Pacific province to ease the tension and re-establish harmony.

This governor, as his predecessors, did not hesitate to interfere actively in Canadian political affairs. He carried on a secret correspondence with the colonial secretary and the British ambassador in Washington. These private initiatives taken without the knowledge of the cabinet often irritated the ministers. Consequently, the minister of justice, Edward Blake, demanded that the instructions of the governor be modified so that the latter, like the Queen of England, would reign but not govern. Blake also took advantage of his position as minister of justice to create the Supreme Court of Canada, which reduced the number of appeals to the Privy Council of London. This progress in the field of the autonomy of Canada with regard to Great Britain mattered very little when compared with the failure of the Mackenzie cabinet to strengthen Confederation.

Absorbed by his duties as the minister of public works and handicapped by the crisis, Mackenzie, as the prime minister and leader of the party, met with three failures. First he was incapable of winning the West. It was Laurier who was to implant the Liberals in the West in the 1890's. He was not able to find a lieutenant in Quebec. One by one the Quebec ministers left the cabinet: Antoine-Aimé Dorion had himself named as the chief of the Court of the Bench of the Queen, Letellier de St-Just donned the mantle of the lieutenant-governor and Télesphore Fournier took over the post of judge in the Supreme Court. Lastly, Mackenzie was incapable of drawing up a national policy. From 1876 on, he presented budgets that had deficits, but limited himself to raising the tariffs

by 2¼ %. Yet in Toronto, Montreal and Hamilton, manufacturers and workers demanded a protectionist tariff. Rooted in the principles of economic liberalism, Mackenzie had neither the energy nor the audacity to change his position. Some supporters, such as Workman and Devlin, dared to show their discontentment openly by presenting motions which censored the financial policy of the government.

Macdonald Back in Power

The chief of the opposition, Macdonald, was not slow to seize the possibilities which the demands of employers and workers offered. From 1876 on, he began to speak about readjusting the tariff and attempting to rebuild his party. When on August 17, 1878, the Governor-General prorogued the House, Macdonald was ready to enter the electoral battle. He showed an incredible enthusiasm for his sixty-three years. He had a slogan: "Canada for Canadians." He had a program: the National Policy; that is to say, the establishment of a tariff which would reserve the Canadian market for Canadian producers. He had confidence in his destiny and in his side, for his party had won 22 of 26 by-elections held since 1875. The depression had undermined the confidence of the population in the Liberal regime and made them forget the scandal of 1872: "One third of the population of Quebec was in extremely embarrassing circumstances, if not in most desolate misery. Despite the summer which was the season of work a considerable number of families suffered famine."

Mackenzie, on the contrary, was on the defensive. It is true that he had more than one positive accomplishment to show in the record of his administration: the improvement of the militia system, the creation of a military college and a supreme court, the rewriting of an electoral law, the opening of the Intercolonial and the extension of the system of canals. But the disgrace for the crisis fell on him even though he was not responsible for it. He had neither a slogan nor a program other than retrenchment and free trade. He attacked the National Policy, which according to him would raise the prices of commodities of popular consumption, ruin commerce and favor the regional interest. Before an electorate eager for reform and which demanded some positive measures, Mackenzie posed as a defender of the status quo.

The vote took place on September 17. For the first time it was secret and was carried on at the same time in nearly all ridings. The results confirmed the predictions of the majority of observers, Macdonald and the Liberal-Conservatives won a smashing victory. They obtained the majority of seats in every province except New

Brunswick. Five Liberal ministers lost their seats. It was the results in Ontario which presented the greatest surprise. There the Conservatives won fifty-nine out of eighty-eight seats, despite the activities of the Liberal provincial government. Ironically, Macdonald was defeated in the riding of Kingston!

The election of 1878, which brought Macdonald to power and coincided with the end of the depression, marked the end of the period in which British North America changed itself into the Dominion of Canada. The partition of North America, begun with the treaty of 1783, reached its final conclusion. Neither Montreal nor New York had succeeded in constituting a continental empire. From now on, two transcontinental states were to share North America. But Canada existed still only in rough outline. It had a territory and a legal and political structure, but it lacked the economic base to make it a viable entity. It had a soul but its personality was not yet fixed. French Canadians and English Canadians had undertaken in 1867 to build a state which would be the reflection and the synthesis of the two great cultures. The creation of a bicultural Manitoba in 1870 was the product of this intention. Nevertheless, the school question in New Brunswick and the bitterness of the Ontario nationalists following the birth of Manitoba were warnings that Canada would not develop along the line of its destiny.

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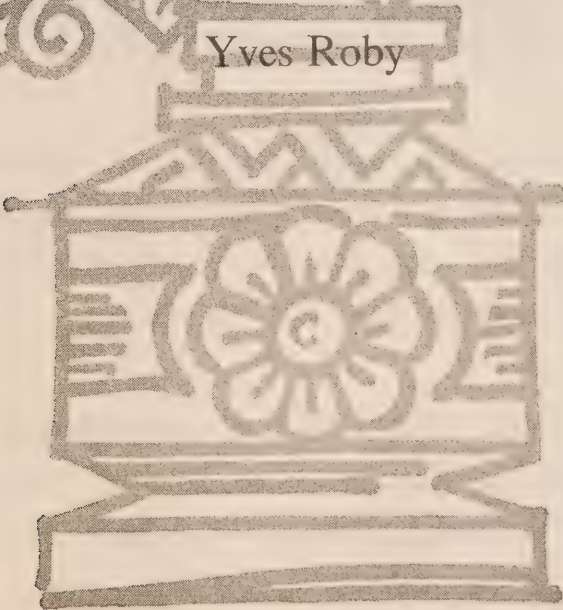
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The United States and Confederation

Yves Roby



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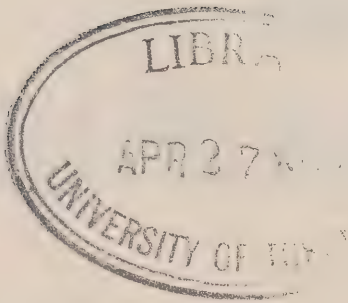
The United States and Confederation

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Translated by: JOSEPH LEVITT



THE UNITED STATES AND CONFEDERATION

"The situation which arose out of the Civil War in the United States neither created nor carried Confederation, but it resulted, through a sense of common danger, in bringing the British provinces together and in giving full play to all the forces that were making for their union."

In this paragraph the historian, Colquhoun, summarized the fundamental yet complex influence which the American civil war exercised on the union of the colonies of British North America. The cumulative weight of not only the war itself but also its side-effects, the Trent affair, the frontier incidents and the Fenian threat should not be underestimated. Without doubt these events stimulated colonial and imperial statesmen to search for a joint solution which would both correct the ills from which the colonies suffered and allow the Mother country to pursue its policy of retrenchment.

Failure of a Plan of Union

On August 16, 1858, Sir Edmund Head, Governor of Canada announced the intention of his government to discuss with the imperial authorities and those of the neighbouring colonies the possibility of a federal union. This project, however, met with failure.

In 1858 New Brunswick and Nova Scotia were hardly disposed to sacrifice their political independence. It is true that certain Maritime politicians wished to join Canada; others, notably the governors Manners-Sutton and the Earl of Mulgrave, preferred a more restricted union of the colonies of the Atlantic. But both schemes were in conflict with local loyalties. Furthermore, many in the Maritimes felt that sufficient political links existed between the colonies by virtue of being part of the Empire. Consequently, the delegations which New Brunswick and Nova Scotia sent to London in 1858 to join the Canadian representatives were not at all interested in union. What concerned them was the construction of an intercolonial railway. They argued that such a railway would have to precede any kind of union with Canada.

London, too, was hardly enthusiastic about the project. It was not then concerned with the problems of defence. It knew that the Maritimes were against such a union. Thus in replying to the Canadian proposal the Colonial Secretary Newcastle stated that the imperial government would consider sympathetically all projects of union elaborated by the colonies, but that it refused to undertake any initiative. Newcastle also reserved the right to approve of a convention called together to discuss such schemes.

As a result of these unenthusiastic and negative responses, Canada abandoned its plan in 1860. Yet the tragic events which, from 1861 on, were to shake the American republic were to compel the colonies and the Mother Country to reconsider the future of British North America.

The American Civil War and the Trent Incident

In 1860 Canadian-American relations, without being excellent, were at least cordial; the Reciprocity Treaty of 1854 had inaugurated a period of harmony between the United States and its neighbour to the North. Still, there were some discordant notes. The problem of San Juan Island was still not solved. American manufacturers of the north east were greatly dissatisfied with Galt's tariff, which they considered a violation of the spirit, if not the letter of the Reciprocity Treaty. On its side, Canada was alarmed at the widely-held opinion in Washington that a foreign war would be useful in dampening the rivalry between North and South.

The beginning of hostilities at Fort Sumpter at 1861 opened an era of serious crises in Anglo-Northern relations. When Great Britain in 1861 proclaimed its neutrality in the conflict, it recognized in practice the belligerency of the Confederate states. The North, which was then undergoing grave internal difficulties and serious reversals on the fields of battle, became inflamed still more over the refusal of the imperial government and the colonies to see in its struggle a crusade for human liberty as well as a defence of the republican experiment. It regarded the proclamation of neutrality as a sign that the British intended to support the South. Until 1863, English diplomacy did much to feed this conviction. The result was a hardening posture of the North towards Great Britain and her colonies in America. The virulent tone and the annexionist aims of the press in New York and Boston reflected these hostile attitudes. This climate of opinion explains the orders of American Secretary of State Seward to the border states to fortify themselves against the eventuality of a foreign attack.

At the beginning of the conflict the Canadians, who were anti-slavery and anti-secessionist, were friendly towards the North. The honeymoon did not last long. The economic difficulties brought about by the civil war, the fear of an American attack, kept alive by annexationist writings, the realization that the conflict had the aim of not abolishing slavery but only crushing the South and forcing it back into the union, rapidly undermined the pro-Northern sympathies of Canadians. Greater and greater numbers of those north of the frontier came to hope for a victory for the South. The successful resistance of the Confederate states appeared to them

to be their strongest defence and the best guarantee of their independence. By autumn of 1861 public opinion on both sides of the frontier was so exacerbated that a serious incident could easily have resulted in a war.

On November 8, 1861, Captain Charles Wilkes of the S.S. "Jacinto" stopped the British mail packet, "Trent", and forcibly removed as contraband of war two Confederate agents, Murray Mason and James Slidell and their two secretaries, who were proceeding to London on a diplomatic mission.

Angered by this flouting of international laws, the Imperial government demanded an apology and the immediate release of the four Confederates. Lincoln, however, did not release the prisoners until the 25th of December. During this interval of more than a month, Canada and the Maritimes realized with horror that they could certainly become the battlefield of any Anglo-Northern war and called up their militia. London too, in view of the crisis, announced its intention of defending its colonies with all the power of the Empire and dispatched fourteen thousand officers and men as reinforcements. On Christmas Day Lincoln, without making any apologies, freed the prisoners. The danger of war had been averted for the moment.

The crisis had not lasted long. But because of its intensity it had, in the long run, a considerable influence on the union of the British colonies. Confronted with the possibility of a war with the United States, British North America had demonstrated its attachment to the Empire and its willingness to fight for its independence.

Beyond doubt this desire to remain British was a necessary condition for union. Moreover, the "Trent" incident had revealed the precariousness of the system of communications between Canada and the Maritimes. It had become necessary to transport a part of British re-inforcements by sleigh from St. John to Rivière-du-Loup. The Madawaska route, only practicable in the winter, ran along the American frontier and could be cut easily in case of conflict. The crisis had demonstrated the urgency of an intercolonial railway.

Although it had shown its firm intention of defending its colonies, the Imperial government did not give up its policy of retrenchment. It wished the colonies, which had won responsible government, to assume as much of the heavy burden of their defence as possible.

Furthermore, the "Trent" incident induced London to look for means which would permit it to avoid the risk of a conflict in America in the future.

"The effect of the 'Trent' affair," wrote the historian, Morton, "was to make British opinion determined, once it could be done without loss of prestige before the United States and on an honourable and decent basis with the colonies, to withdraw their garrisons from British America, always excepting the Naval base of Halifax. That honourable and decent basis, it was to become apparent in the next two years, was to be found in the federation of British America."

These preoccupations explained the interest which London now showed in the problems of colonial defence and the construction of the Intercolonial.

In April, 1862, Newcastle sent a dispatch to the governors of the colonies suggesting a common system of defence, but Canada turned a deaf ear. As a matter of fact, a month later its legislature rejected a bill recommending an increase of expenditures on the militia. Many Canadians believed that the security of Canada lay in the victorious resistance of the Confederate states and not in a costly and elaborate program of defence. Others insisted that London assume a large part of the burden of colonial defence. To justify their point of view, they claimed that a war with United States would take place only within the framework of an Anglo-American war.

In July at a banquet in Montreal, Lord Monck categorically denounced the Canadian attitude. His criticism as well as that of the "Times" of London, reflected exactly the outlook of the Imperial government on the question.

"The question", wrote the 'Times', "is much simpler than Canadians think. If they are to be defended at all, they must make up their minds to bear the greater part of the burden of their own defence."

The "Trent" incident explained the renewal of interest which the Imperial government showed in the construction of the Intercolonial. Until now, despite the repeated demands of the colonies, London had refused an imperial guarantee for a loan necessary for the construction of the railroad. Now in 1862, Newcastle, interested in the strategic value of the Intercolonial, was prepared to make a new offer. It was true that in this case as in that of colonial defence, the actions of London showed that it was not ready to take the initiative in favour of a political union of the colonies. All the same, under the influence of the "Trent" incident, the attitude of the Imperial government towards such a development had become considerably more positive since the first evasive response to the Canadian proposal of 1858.

Still, the colonies, in 1862-1863, were not ready for union. Furthermore, the new government of MacDonald-Sicotte, in Canada, was reluctant to co-operate with the Maritime colonies even in construction of an intercolonial railway, let alone changing the political framework. Domestic problems kept their attention. The fear of the United States, so vividly felt at the time of the "Trent" incident, faded away. In June 1862, the victorious defence of Lee against the army of the Potomac in the battle of Seven Days, confirmed Canadians in their belief that the South could not be conquered by arms. In the absence of external pressures, would not a firm undertaking by the Canadian government to assume a large part of the financial burden of the Intercolonial risk the aggravation of internal dissensions in Canada and the loss of some of their support? Furthermore, their followers in Upper-Canada believed that the American lines would remain open while those of Lower-Canada did not have the same interest in winter ports.

The pre-occupation with domestic political problems as well as the lessening of this fear of the North, explained the decision of the Canadian government not to undertake five-twelfths of the cost of Intercolonial as it had promised to do in 1862. Thus even Intercolonial cooperation, desired by Newcastle as a preliminary for a union in 1862-1863, met with failure.

Gettysburg, Vicksburg and the Chesapeake incident

In July 1863, Lee, the conquerer of the army of the Potomac at Fredericksburg, continued his offensive against the North. On the sixth, his army and that of General George E. Meade became locked in a furious and tragic battle at Gettysburg. At the end of the engagement, Lee was compelled to retreat to the south of the river Potomac. The emotion which the news of this event provoked in Canada and in the Maritimes, illustrated clearly the importance that it took on in the eyes of the colonials. In the beginning, they refused to believe it or attempted to minimize the importance of it.

"The Yankee Press", wrote the Halifax *British Colonist*, "had such a monstrous talent for lying, that it would be gross folly to believe, in all its minutiae, anything which it publishes."

Nevertheless, the fear of a victory of the Union seized all those who up to now had believed in that the Confederate states were invincible. A few days later, the victory of General Ulysses S. Grant at Vicksburg, which split the South and opened the Mississippi to the armies of the North, added to their apprehension.

At first the Colonial governments reacted only feebly to this new situation. Still, New Brunswick tripled the sum allotted to

defence. And under the pressure of Governor Monck, Canada came around to believe that something should be done for the efficient defence of the country. Parliament voted measures reorganizing the militia, establishing military schools and raising the number of volunteers to 30,000. In the long run, the events in United States had a notable influence on the project of the union of colonies.

As W. L. Morton, an authority on Confederation, writes: "From July 1863, defence, and federation as a means to defence, came more and more to be viewed by the great majority of British North Americans in terms of a Southern defeat. And defence, hitherto an isolated issue, began to become more and more part of the thoughts of federation."

As the year drew to its close, the Chesapeake incident revealed to the British Colonies the presence of another danger, which the turn in military events in the United States had brought about. On December 7, 1863, a group of Confederates seized the ship, "Chesapeake", which was making its run between New York and Portland. Quickly, they reached the British territorial waters close to the coasts of New Brunswick and Nova Scotia. Their aim was to sell the ship's cargo in the Maritimes, buy arms and convert the "Chesapeake" into a privateer to attack the merchant ships of the northern states. On the 16th, the ship was captured by two northern war vessels, the U.S.S. "Ella and Annie" and the U.S.S. "Dacota", before it could come out of St. Margaret's Bay in Nova Scotia. In the course of the operation the Americans, on the look-out for fugitives, searched a little boat from Nova Scotia, the "Investigator", while still in British territorial waters. The next day the Americans brought the "Chesapeake" and the prisoners to the authorities of Halifax so that they might be tried. There had been a violation of British neutrality by both the Confederates and the Northerners. Although there were no immediately serious consequences, the event acted as a serious warning to the British colonies. It showed that the South, experiencing more and more difficulties in the war, would attempt to use Canada and the Maritimes in the future as bases for territorial and naval attacks against the North. Colonial authorities would likely encounter many difficulties in maintaining strict neutrality, the more so because they would be dealing with a population overtly pro-South or at least anti-North.

The Conferences in Charlottetown and in Quebec

In the summer of 1864 the population of the British colonies which, in the previous autumn, had seen Northern triumphs and been excited by the Chesapeake affair, took on new hope. The prospect of a victory for the forces of the Union, which had seemed

so close at the time of Vicksburg, was vanishing. If Sherman was advancing rapidly towards Atlanta, Grant was marking time before Petersburg. The morale of the North, discouraged by the slowness of the operations at a time when the end had seemed so near, was at its lowest. Inversely, the Canadian population revived its optimism in the successes of the South. The "Leader" of Toronto, wrote: "The independence of the South is as good as achieved." The belief of the British colonials, that imperial aid on the one hand and the victorious resistance of the South on the other, constituted the best guarantees of their independence, seemed to have been thus confirmed. Nevertheless, the fear of a reversal of the situation remained in the minds of all. It was in this atmosphere that the conferences of Charlottetown and Quebec took place.

From 1861 to 1864, the history of Canadian-American relations, with its alternate periods of tension and calm, of fear and confidence, obliges the historian who asks himself about the influence which the United States exercised on the union of British colonies to be very prudent. Without doubt the fratricidal battle, to which the supporters and adversaries of the Union surrendered themselves, modified the imperial outlook on defence and intercolonial cooperation. Under the pressure of these events, London, in 1865-1866, did not hesitate to throw its weight in the favour of union. Moreover, despite the victorious resistance of the South from 1862-1863, the problems of defence and communications acquired a new urgency for the colonial government as well. Although it is difficult to determine their direct influence, these preoccupations certainly held the attention of those in conference at Charlottetown and Quebec. Yet these historic conferences had a much more positive objective, that of creating a new country, fragmented until now into regions. It is in this sense that it is necessary to interpret the opinion of the historian, D. G. Creighton: "Both Maritime Union and Confederation were to be planned and considered by themselves, largely apart from the dangerous turmoil to the South." Nevertheless, this statement which refers to the military situation in the summer of 1864, does not deny at all the long term and indirect influence which the American threat played.

It was the republican experience of their neighbours to the south rather than the military threat to British North America which they represented that preoccupied the Fathers at Charlottetown and Quebec. They feared the destructive force of federalism as illustrated by the horrors of the American Civil War. But French Canada, anxious to protect its nationality, not only opposed a legislative union but also deserved as much autonomy as possible. The wishes of the delegation of Prince Edward Island as well as

those of certain representatives from New Brunswick to preserve partially their local sovereignty, reinforced the opposition to legislative union. Against their own wishes the majority of the Fathers accepted the federal principle, on the express condition that this federation would be based on a strong central power, thus creating a situation radically different from that which, in their view, had led to the civil war. "States' rights" — the reservation by each state of all sovereign powers, "save the small portion delegated" to the general government — was, declared MacDonald in his speech on October 11, 1864, the "primary error" of the American constitution.

"We must reverse this process", he continued, "by strengthening the general government and conferring on the provincial bodies only such powers as may be required for local purposes."

The Saint-Albans Raid

On October the 19th, 1864, while the discussion on the constitution of local governments was drawing to a close in Quebec, the attention of the delegates was caught by the raid at Saint-Albans. This ominous incident did not have a direct influence on the outcome of the conference of Quebec, but it inflamed public opinion on both sides of the frontier. In 1864, despite what Canadians may have thought, the military position of the South was deteriorating gradually. It was now or never, if the Confederate forces were to use British North America as a base for some desperate operation against the North. On the 18th and 19th of September, 1864, Southern agents attempted to seize the steam boat "Philo Parsons" at Amherstburg and to use it to capture the U.S.S. "Michigan", an American gunboat. Their ultimate objective was to free Southerners, prisoners on Johnson Island in Lake Erie. This scheme was checkmated.

The raid of Saint-Albans followed a little while later. In the afternoon of October 19, 1864, a group of Confederate agents, dressed in civilian clothes, robbed three banks in the little village of Saint-Albans in Vermont, situated fifteen miles south of the Canadian frontier. Taking with them some two hundred thousand dollars, they took flight on stolen horses, crossed the Canadian frontier and finally reached Montreal. Although the incident resulted only in one death among the pursuers from Vermont, it threatened to plunge British America into an armed conflict with the United States. The Canadian government arrested the raiders and recovered the money. These measures, however, proved insufficient to calm the fears and appease the anger of the Northern states, who saw in this incident the consequences of the policy of neutrality of Canada and its hostility to the Union cause. As soon as he had word of the incident, General John A. Dix, Commander of the Military district

of the east, ordered American troops to pursue the raiders into Canadian territory, if necessary, and wipe them out. This order, if it had been carried out, would have violated Canadian neutrality and could have resulted in war. After two months' delay, Lincoln and Seward, realizing that a Canadian-American conflict would only help the South, revoked Dix's order. Nevertheless, to show the North's anger, Seward ordered the American ambassador in London to give six months' notice for the abrogation of the Rush-Bagot Convention of 1817 which had limited naval armament on the Great Lakes. Finally, it was rumored that the Reciprocity Treaty would be abrogated.

The crisis was serious, but it did not unduly worry public opinion in the British colonies, especially those of the Maritimes. At least, they gave that impression by the way they received the project of Confederation as drawn up by the Fathers at Quebec.

The plan easily won support in Upper Canada where it had only to submit to the attacks of some Conservatives, Grits and Liberals. In Lower-Canada, however, it aroused the lively opposition of the Rouge minority led by Antoine-Aimé Dorion. The Rouges were against too great a centralization of powers. "It is not then a Confederation which is proposed to us," declared Dorion on the 7th of November, "but simply a Legislative Union disguised in the name of Confederation." Naturally, the moderates and the Bleus, who had the support of the hierarchy of the Catholic clergy, claimed on the contrary that the proposed union would be a true federation, protecting the rights of the French-Canadians as an ethnic and cultural group. They posed the question of whether the annexation to the United States, "the most immoral of modern nations," in which French Canadians would certainly lose their autonomy and faith, was not to be feared more than Confederation.

The reception which the Maritimes reserved for the project was cooler. In New Brunswick, the advantages of the construction of the Intercolonial and the access to the markets of Canada induced the pro-Confederation forces to expect a favourable reception. Nothing of the kind took place. The opposition was so strong that Tilley, a supporter of Confederation, refused to submit the question to the legislature before the coming elections of February, 1865. The adversaries of the scheme were just as active and powerful in the other Maritime colonies. In Nova Scotia, the governor thought the opposition so forceful that he doubted whether the plan could be approved. In Prince Edward Island, it seemed that the great majority of the population was hostile to the Quebec Resolutions. As to Newfoundland, few expected its entry into the union.

In contrast, the reception which the scheme received from British public opinion and the Imperial government could not have been more favourable. Seeing in the union of the colonies a considerable aid to defending British North America against an American attack, they praised the wisdom of the Fathers of Confederation. On December 3, 1864, Cardwell, the new Colonial Secretary assured the governments of Canada and the Maritimes that London would give all assistance possible to the adoption of Confederation.

At the beginning of the year 1865, the Quebec Resolutions had been received with warmth in London and in Upper Canada. In Lower Canada, however, they were confronted by the well-organized opposition of the Rouge minority. In the Maritimes, their future looked dark. In any case, the dangers resulting from the American Civil War as in the flouting of Canadian neutrality by the raiders of Saint-Albans, did not seem to have directly influenced the acceptance or rejection of the project.

The decision of Judge Coursol and the Southern defeats

Although the raid on Saint-Albans had only a secondary influence on the Quebec Resolutions in the autumn of 1864, it obliged the Canadian authorities to adopt measures to reinforce the system of defence to protect the neutrality of the country. Among other things, Monck appealed for two thousand volunteers to guard the frontier permanently. Canada still considered that the responsibility for defence belonged to the Empire, but under the pressures of external events it was prepared to accept heavier sacrifices. It offered to fortify Montreal on condition that Great Britain would do the same for Quebec City. Moreover, it undertook to propose a sum of \$1,000,000 (as against \$394,745 in 1864) for the militia to the Assembly.

These measures were not superfluous in December, 1864. The consequences of the trial of the raiders of Saint-Albans proved how vulnerable the security of Canada could be, and how necessary was a vast program of defence. On December 13, as the result of the preliminary inquiry of the Southern prisoners, Judge C. J. Coursol released the prisoners declaring that, as a result of a technicality in the Canadian law of extradition, the court had no jurisdiction in this affair. So great was the judge's generosity that he ordered the stolen money returned to the Southern agents.

The reaction of the United States was even more violent than that which had been provoked by the raid itself. American newspapers spoke of raids of reprisals, of total war. "We were never in a better condition for a war with England", wrote the *New York*

Times, on December 16, 1864. Once more, General Dix ordered his troops to pursue all Southerners to Canada, if necessary, and bring them back to the United States, transfer them to a court-martial but in no case to hand them over to the Canadian authorities. Lincoln, on December 17, disavowed his general for the second time, but the same day an order of the Secretary of State required a passport from anyone desiring to enter the United States. On the very day that Coursol freed the prisoners, the Chamber of Representatives voted in favour of the abrogation of the Treaty of Reciprocity. It should be noted, however, that the Chamber took no notice of the news of the release and that the adversaries of the Reciprocity Treaty were already numerous in the Congress. In contrast, the vote of the Senate on January 12, in favour of the abrogation of the treaty was, from all evidence, strongly influenced by the events north of the frontier.

In Canada the concern was great. The government acted promptly. The patrols along the frontier were reinforced, a service of counter-espionage was created, a certain number of prisoners were re-arrested, and Cartier was sent to Washington to mollify Lincoln's government. Washington, realizing that an Anglo-Northern war would aid the Confederates to win their independence, accepted the Canadian declaration that they intended to remain neutral. All the same, American public opinion was so inflamed that the danger remained real. In Canada the whole defence problem was seen in a new light. The debates on Confederation in the Assembly showed that this Northern threat strengthened the cause of union.

Although the result of the decision of Judge Coursol provoked a lively anxiety in Canada and there reinforced the cause of union, the American threat by itself was incapable of ensuring the adoption of Confederation by the Maritimes. At the beginning of the year 1865 the electoral campaign was in full swing in New Brunswick. Since November, the adversaries of the Quebec resolutions had warned the electors about the danger of Canadian domination, while Tilley and his supporters had insisted on the advantages which the colony would draw from the union. The crisis which followed the judgment of Coursol in the Saint-Albans affair influenced the tactics of Tilley, who warned the electorate that the rejection of Confederation would be an invitation to American aggression. This claim had no effect on the results of the election. The supporters of Confederation were beaten; even Tilley lost his seat.

Tupper, the Premier of Nova Scotia, faced with an opposition greatly encouraged by the news of the defeat of Confederation in the neighbouring province, did not dare to submit the project to

his Assembly. On March 6, the Assembly of Newfoundland decided to wait until after the general elections before discussing the question and at the end of March Prince Edward Island rejected the Quebec project.

By February the Canadian government had become worried about conflicting reports from the province of New Brunswick. But equally, it had other concerns. The previous Christmas Eve, Sherman, after his destructive march across Georgia, announced the capture of Savannah. Quickly he continued his drive towards Richmond to complete the encirclement of the Southern forces. In February the situation of the South was desperate, the victory of the North quite near. The fear of a war with the victorious forces of the Union preoccupied Canadians. Moreover, the news about Imperial defence policy which came from London did not contribute to easing this tension. At the beginning of February the Canadian Government had learned that Great Britain agreed to fortify Quebec, but the dispatch had not mentioned any concrete figure. It was in this climate of uncertainty that on March 4, Canada learned of the defeat of Tilley and Confederation in New Brunswick. The Assembly was asked to adopt the Quebec Resolutions to encourage the other Maritime colonies and to prove to London that the Confederation was a source of strength. MacDonald's determination became even stronger when he learned that the House of Commons in the United Kingdom had limited the expenditure on the fortifications of Quebec to 50,000 pounds in 1865. On March 11, 1865, the Assembly approved of Confederation, without amendment, by a majority of 91 to 33. It was decided to send a mission to London to save the scheme which now seemed threatened by the response of New Brunswick.

It is certain that the Canadian members during these trying days discussed the project of union for its intrinsic merits. All the same, the American threat, which seemed to be coming more and more definite, haunted their minds. The insistence with which many speakers invoked it suffice amply to prove this. Few attached more importance to this matter than the French Canadian speakers.

"To be thrown violently into the American union, if this project of Confederation does not pass", declared Taché, "seems to me as the probable result."

Georges-Étienne Cartier took up the same theme: "Those who claim that the provinces of British North America are not more exposed while thus separated than they would be united in Confederation, make a great mistake. The time has come for us to form a great nation, and I maintain that Confederation is necessary

for our own commercial interest, our own prosperity and our own defence.”

George Brown was certainly one of those who had best grasped the different facets of the American threat. “The civil war . . . in the neighbouring republic, the threatened repeal of the Reciprocity Treaty; the threatened abolition of the American bonding system for goods in transition to and from these provinces; the unsettled position of the Hudson’s Bay Company; and the changed feeling of England as to the relations of Great colonies to the present states; — all combine at this moment to arrest earnest attention to the gravity of the situation, and unite us all in one vigorous effort to meet the emergency like men.”

Others saw in Confederation a means of dealing with the American threat to abrogate the Reciprocity Treaty and to withdraw privileges granted in 1845, which allowed Canada to export and import goods in transit through the United States without the payment of duty on them. Faced with the loss of a vast and profitable market, the supporters of federal union suggested that the only solution or compensation was the creation of a national market. “I confess to you”, declared George Brown, “that in my mind, this one view of the union — this addition of nearly a million people to our home consumers — sweeps aside all the petty objections that are averred against the scheme.”

But, even when the project was accepted by the Legislature, the troubles of the government were far from over. The whole scheme had been put in jeopardy by the hostility of the Maritimes. Moreover, the imminent defeat of the South might allow the North to unleash its forces against Canada. Thus, to ensure both its scheme of Confederation and its defence, Canada needed the co-operation of London.

The end of the war and the Fenian threat

In April the fall of Richmond, capital of the Confederate states, and the surrender of Lee and his army at Appomatox established the defeat of the South. What did the future hold? Peace or war? More than ever an Anglo-Canadian agreement on the defence of the British colonies in North America was necessary.

The news from a Canadian mission sent over to discuss this question with the Imperial authorities was hardly encouraging. English public opinion, liberals and radicals in Parliament, were hostile to any addition to the military Imperial burden. In the end, however, with much reluctance, Great Britain agreed to guarantee

the necessary loans for the fortifications of Montreal. It was little enough. Still, the threat which the end of the American civil war represented had strengthened the British conviction that the union of her colonies in America was essential to the maintenance of their independence. For this reason London promised to press for the acceptance of the Quebec Resolutions by the Maritimes. The Colonial Secretary called upon the governors of New Brunswick and Nova Scotia to use their influence to achieve this goal.

On their return, at the end of the summer of 1865, the Canadian delegates were optimistic. Thanks to the promise of Imperial aid the cause of Confederation was not definitely lost in the Maritimes. They also found the Cabinet more and more confident that the American attack would not materialize.

In the previous spring, the United States had revoked the executive order establishing the system of passports. At the same time, the Secretary of State had renounced the abrogation of the Rush-Bagot Agreement. In August while on a visit to Quebec, Ulysses S. Grant, the conqueror of Lee, assured Monck that his country would not attack Canada as long as Great Britain did not support France in its Mexican adventure. These were, without doubt, promising signs.

The easing of the threat of invasion did not settle all the elements of Canadian-Anglo-American contention. It was a widespread belief in the United States that the policy of neutrality of Great Britain and, above all, the damages caused by the Alabama and other Southern cruisers constructed and armed in English ports, had prolonged the Civil War. The Canadians feared that these grievances might be used for political ends. The future of the Reciprocity Treaty was also quite uncertain. On March 17, 1865, the United States gave the required year's notice for its abrogation. Canadians believed that their pressure along with that of the farmers and businessmen of the north-west and the fishermen of the north-east would be sufficient to obtain its renewal. This hope was in vain. The opposition was too great. The anger provoked by the conduct of the Canadians and the British in the conflict, the popular belief that reciprocity, especially after the tariff of Galt, was more favourable to Canada than to the United States, and the need to increase the revenues militated in favour of the abrogation of the Treaty. Moreover, many Canadians believed that this act of Congress aimed at forcing them to join the American Republic. Consequently, despite many promising signs, not all tension had passed. A spark would be sufficient to re-light the animosity and once again bring the relations between the two countries to a breaking point. This was to be the danger which the Fenian movement presented.

The origins of the Fenian brotherhood go back to 1858. The aim of the Fenians was to liberate Ireland from the British yoke by fermenting a rebellion in the Mother country. The end of the American Civil War gave the movement a new direction and a vigorous impetus. In the months which followed the surrender of Lee at Appomatox, the most militant branch of the Fenian brotherhood declared that the best way to liberate Ireland was to conquer British North America. This plan was realistic enough to worry colonial governments. The Fenians, they thought, could count on thousands of Irish veterans of the armies of the Union. Would not the anti-British sentiment of the United States find in the uproar created by the Irish American patriots a means of expressing itself concretely ? On the eve of the Congressional elections of November, 1866, the Canadians could hardly expect a firm attitude from the American authorities. On the contrary, it was to be feared that the Republican administration, wishing to maintain itself in power, would adopt a policy of expediency and non-intervention so as not to offend the Irish voters. Furthermore, the reactions of numerous Irishmen living in Canada was, as yet, unforeseeable. Finally, the defence of the frontiers against numerous raids was going to be difficult. All these fears occupied the thoughts of Canadians at the end of 1865 and at the beginning of 1866. In fact, the Fenian threat was to prove much weaker than expected, yet it did exercise a considerable influence on the movement for Confederation. This was particularly true in the Maritimes.

At the beginning of 1866, New Brunswick, warned that the Fenians were collecting arms in Maine, became concerned. In April the rumor that the Fenians would mount an attack against the colony became more definite. Since the beginning of the month hundreds of Fenians had been gathering in little localities on the northeast coast of Maine, possibly with a view to a raid against St. Andrews, the isle of Campobello and other little isles at the entrance of Passamaquoddy Bay. Late in the night of April 14 the Fenians invaded Indian Island, a little island close to Campobello. Without delay, the governor mobilized the militia and appealed to the British command at Halifax. The latter immediately dispatched war ships and regular soldiers. Frightened, the Fenians, whose movements were henceforth to be watched by a detachment of the American army, fled from the little frontier localities. This was the end of the Fenian offensive operation in this region. Nevertheless, the rumors that thousands of Fenians, armed to the teeth, prepared to invade New Brunswick, had a profound influence on the electoral campaign in the colony which took place in May and June of 1866.

In May 1866, Tilley was in a much better position than in 1865 to win the election. The unqualified support of the Imperial government for Confederation was known to all. The financial aid of the Canadian government constituted another asset for Tilley's party. When the abrogation of the Reciprocity Treaty, March 17, 1866, put an end to the hopes of maintaining close commercial relations with the United States, many saw no other alternative than Confederation. The Fenian threat delivered the final blow to the adversaries of the project.

To begin with, it constituted a formidable argument for those who presented Confederation as a measure of urgent and necessary defence. "If there is one argument in favour of Union stronger than another", wrote the *Saint Croix Courier*, on the 19th of May, 1866, "it is the necessity that exists for a good and efficient system of mutual defence. We have sometimes regarded this as one of the weaker points in favour of Union, invasion or trouble seemed to be at so great a distance, but now when we see how soon sudden danger can threaten us, and how our enemies may concentrate within a gunshot of our very doors, the man must be blind, infatuated, or prejudiced who can fail to recognize its force."

Moreover, the Fenian menace compelled the Catholic hierarchy of Irish origin to define its position clearly. Bishop Rogers of Chatham publicly supported Confederation and explained why he preferred it to annexation to the United States. The result of his stand as well as that of Archbishop Connolly of Halifax was to rally a large part of the New Brunswick Irish to the cause of Confederation.

All these reasons explain the easy victory of Tilley in June. Without claiming that the Fenian threat was the only or even the main cause of the victory of Tilley in 1866, it ought to be recognized as a factor of great importance. Tilley himself felt this. Another proof of its importance is to be found in the rumor which held that the supporters of Confederation had incited the Fenians to action with the aim of frightening the people and leading them to support the federal union. "The Fenian excitement continues on our border", wrote Tilley to MacDonald, on April 21, 1866, "and you will laugh when you see the Antis are endeavoring to make people believe that you Canadians have sent them to aid Confederation."

Consequently, by mid-June the province of New Brunswick, which constituted an essential tie between Canada and the other Maritime provinces, was ready to take part in Confederation and to send its delegates to London to prepare the concrete terms of union.

In April Nova Scotia, despite the very strong opposition of Joseph Howe and his supporters, had already agreed to the sending of a delegation to the conference in London. There also, as in the neighbouring province, the problems resulting from the civil war, the abrogation of the Reciprocity Treaty and the Fenian movement had a considerable influence on the march of events.

At the end of June Tilley and Tupper wished to take advantage of the events to complete the project before the ending of the session of the British Parliament in August. Nevertheless, it was not until the beginning of November that the Canadian delegation was able to leave for England. In Canada that summer the problem of defence was of more concern than the question of Confederation. Since the beginning of the year rumors reported by the police and the British consuls predicted an attack against Canada by the Fenians. It was expected on St. Patrick's Day, 17th of March. A week before 10,000 militia men were called out, but the day passed without incident. In the same way, April and May were quiet.

Suddenly, at the end of May, the threat became more definite. On the night of the 31st of May Colonel John O'Neil and about 1,000 supporters crossed the Niagara River; two days later they took a position not far from the little village of Ridgeway. Monck appealed to 20,000 militia men and ordered an immediate attack against the invaders. The Canadians gave a good account of themselves and compelled the enemy to retreat, but a countermanded order of their commander left them exposed to the heavy fire of Fenians. Nine Canadians were killed and thirty wounded. Since the arrival of reinforcements was imminent, Colonel John O'Neil ordered his men to recross the frontier. Another attempt on June 7, at Pigeon Hill some miles north of the Canadian frontier in the region of Lake Champlain, ended in total failure. This last episode marked the end of the Fenian "invasion" of Canada in 1866.

On the 6th of June, Washington issued a proclamation of neutrality which satisfied Monck. The fear and anger of the population persisted. The invasion of their country, the weakness of efforts of the American authorities to prevent it, the hostility of certain American newspapers, the annexionist aims of some politician reinforced the anti-American sentiments of Canadians. Canadian-American relations had not been so bad since the "Trent" incident. The Fenian threat did not have the same influence on Canada that it had on the Maritimes; they had already approved of Confederation well before the events of March and June, 1866. Still, it reinforced Canadian nationalism, based for a large part on anti-Americanism, and put the adversaries of Confederation at a disadvantage. It was in

this climate that the Canadian delegates reached England for the conference in London at Westminster. The conference accepted the Quebec resolutions with only minor changes. In 1867, the union of the British provinces of North America was ratified by the two houses of the English Parliament and came into force on July 1.

Confederation was the response of politicians towards a whole range of problems. It is not easy to determine in an exact fashion the direct influence which the events resulting from the Civil War exercised. But the Trent affair, the frontier incidents which reached their culmination in the raid of Saint-Albans, the plans to abolish the Rush-Bagot Agreement and the Reciprocity Treaty, without doubt weighed heavily in the balance and induced the British provinces to more speed. The pressures of London, notably in the case of the Maritimes, can be explained only with difficulty without the American influence. The United States, then, contributed to the creation of Confederation, and by its presence alone has continued to influence the development of Canadian history.

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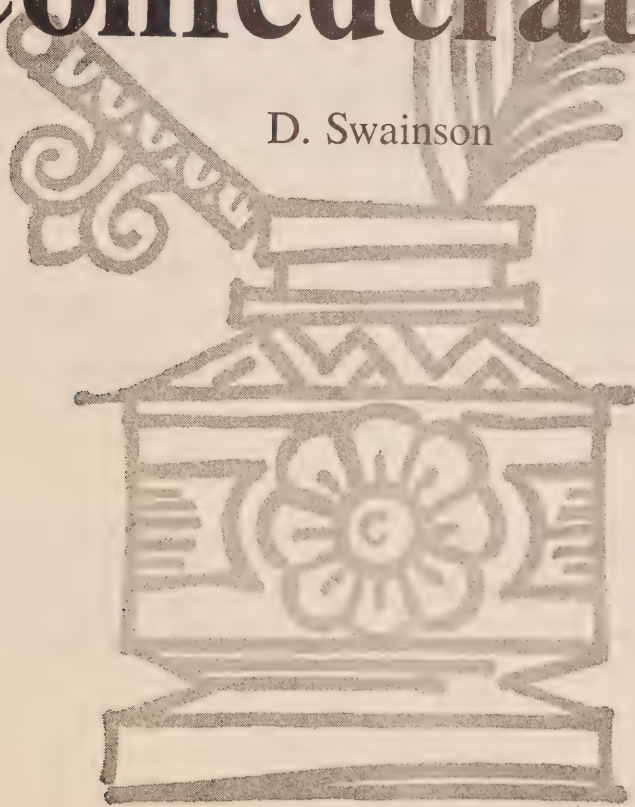
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Ontario and Confederation

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ONTARIO AND CONFEDERATION

Early Ontario

During the seventeenth century white men began to penetrate the area west of the Ottawa River, now known as "Ontario". However, rapid development dates from the period of the American Revolution when English speaking settlers entered the territory and commenced a series of agricultural settlements. Colonial status was granted to that territory, designated as Upper Canada, by the Constitutional Act of 1791. The subsequent two generations witnessed change at an incredible rate of speed. Between 1788 and 1851 the population increased from about 14,000 to 952,000. Towns like Kingston and Toronto became important centres. The colony began to produce surplus commodities and to export such items as potash, wheat and timber. The great water route connecting Detroit with Montreal was canalized.

Political developments were just as dramatic. The early period of rapid development tempered by placid politics gave way to a period in which development was a rapid but political placidity non-existent. The watershed was the War of 1812, at which time began a period of unparalleled political excitement. A Reform movement emerged in opposition to the oligarchy that had established itself during the political calm of pre-war Upper Canada. Under such leaders as Gourlay, the Bidwells, the Baldwins, Rolph and Mackenzie the Reform movement developed and was able to challenge, if not too seriously, the entrenched oligarchy.

In 1837 occurred the débâcle of the rebellion, an uprising which illustrated how tightly Ontario's present and future were bound to the entire North Atlantic area. Rebellion was an experience common to both Canadas. After its initial defeat the Upper Canadian rebellion was sustained by American assistance as, in the past, it had been partly nurtured by American ideas. Upper Canadians themselves, however, crushed the rebellion. The constitutional settlement of 1791, and the political structure built thereon had survived. Because the fate of Upper Canada was to be settled in conjunction with that of Lower Canada and with imperial interests, it was impossible to preserve the status quo. The subsequent settlement was embodied in the Act of Union, 1841. That new settlement provided the constitutional framework for the period 1841-67 and is thus essential to an understanding of Confederation. Upper and Lower Canada were reunited as the Province of Canada, and the old appellations "Upper" and "Lower" Canada gave way respectively to "Canada West" and "Canada East". A parliamentary

system was provided, but not a system of responsible government as recommended by Lord Durham. The sections were given equal representation in the new parliament, first forty-two members, and in 1853 sixty-five members each. It was assumed that the English of Upper Canada would combine with the English minority in Lower Canada to control the assembly. The settlement of 1841 contained serious flaws but was able to enjoy an immediate success because its first administration, guided by Lord Sydenham, and popular in Upper Canada, concentrated on reform and provincial development.

Two major flaws destroyed the settlement of 1841. The first was that the administration, while not responsible in the technical sense, had to be popular. That is, it had to enjoy the support of a majority of the members of the lower house. The second was the policy of assimilating the French Canadians and excluding their legitimate leaders from the exercise of power. Almost immediately the Reform leaders, and especially Francis Hincks, an Upper Canadian with strong Montreal ties, detected these flaws and used them in their campaign to obtain responsible government. The instrument used was 'party'. Lafontaine and Baldwin united their followers on a basis of policy rather than race. They were committed to the attainment of responsible government and to the defeat of the policy of assimilation. The Reformers won. By 1848-49 the policy of assimilation had been defeated and responsible government achieved.

The granting of responsible government in 1848-49 involved another settlement, based on cabinet government, party government, embryonic federalism and rapid economic development. But like earlier settlements, that of 1848-49 contained flaws, which destroyed the system and necessitated still another settlement. These defects explain why change was necessary fifteen years later.

The Need For Change

Embryonic federalism was a crucial problem. The Union was never really a legislative union at all, a fact which helps explain why there is no real break in the history of Ontario between 1841 and 1867. Representation was regional. Each section had an equal number of assemblymen. Education and law were administered separately in Canada East and Canada West. The parties were sectional, so much so that the premiership was a joint affair, shared by the sectional leaders of the governing coalition. The federal character of the Union was well understood. In 1865 John A. Macdonald defined it thus:

Although we have nominally a Legislative Union in Canada
— although we sit in one Parliament, supposed constitutionally

to represent the people without regard to sections or localities, yet we know . . . that since the Union in 1841, we have had a Federal Union; that in matters affecting Upper Canada solely, members from that section claimed and generally exercised the right of exclusive legislation, while members from Lower Canada legislated in matters affecting only their own section.

This crude federalism, institutionalized by equal representation, was a major cause of the destruction of the Union.

The Reform coalition which achieved responsible government held a majority in each section of the province. After 1849, however, the Upper Canadian wing of that coalition became unstable. Led first by Robert Baldwin and then by Francis Hincks it was assaulted in turn by two Upper Canadian groups which split away from the Reform party. First came a radical assault on the Baldwin-Lafontaine ministry by the Upper Canadian radicals, the Clear Grits, who felt that the ministry was not sufficiently reformist. Then occurred an assault on the Hincks-Morin regime directed by George Brown, editor of the *Toronto Globe*. The Brownites argued that the Hincks-Morin regime, like its predecessor, was not sufficiently active in the field of reform. They were particularly anxious that the clergy reserves be secularized and that Canada West be provided with a system of non-sectarian education. They also held suspect the government's relationship with business. The Hincks-Morin government was destroyed in 1854 and replaced by the Liberal-Conservative coalition, headed first by Sir Allan MacNab and A. N. Morin, later by John A. Macdonald and Georges-Etienne Cartier. The new governing combination was a coalition of French Canadian 'bleus', English Canadian Tories and Baldwinite Reformers. Very early in the life of the coalition it became clear that its centre of strength was in Canada East. The opposition, while containing a few 'rouge' followers of A. A. Dorion, was centred in Canada West and dominated by George Brown and John Sandfield Macdonald. As the 1850's passed this tendency towards regional polarization became more marked, and introduced tensions which the Union could not accommodate.

These tensions revolved around conflicts over policy, and because most policies in dispute possessed a sectional quality the polarization of parties on a sectional basis was intensified. In basic terms the Union proved to be too restrictive for the dynamic, expansionist and youthful society of Upper Canada. Its wishes could easily be thwarted by the bloc of Lower Canadian assemblymen, a bloc exactly the same size as the Upper Canadian group and representing a section with interests often at variance with those of Canada West.

The census of 1851 proved that Upper Canada possessed a numerical superiority. Consequently George Brown, the recognized Reform leader after 1854, demanded representation by population in an attempt to win for his section a preponderance in the Union. Such a preponderance would have enabled the Brownite Reformers to impose their will in such areas as education, westward expansion, the choice of a capital, railway subsidies and taxation. Upper Canada, the wealthier section, resented having to pay a major share of taxes when such taxes were spent by a government dependent on the Lower Canadian bloc. Forgotten was the fact that Lower Canada was forced to assume a share of Upper Canada's debts when the Union was organized. Upper Canada then, was a secular society, suspicious of Catholicism, opposed to sectarian education and becoming, as the 1850's passed, more and more determined to rule the Union. The Lower Canadians were strongly opposed to representation by population. To them equal representation was an essential guarantee of their identity and interests.

Beginning in the 1850's the Reformers developed a vital concern with westward expansion into the prairie lands controlled by the Hudson's Bay Company. Canada, argued the *Globe* in 1856, "... is fully entitled to possess whatever parts of the great British American territory she can safely occupy" Toronto businessmen, strongly supported by Reformers like Brown, organized the North West Transportation, Navigation and Railway Company in 1858, establishing communications between Upper Canada and the prairies. Although the company's plans quickly failed, its very organization was indicative of considerable interest in the North-West. Westward expansion was regarded with deep suspicion by the French leaders, who believed, as it turned out, correctly, that the North-West would be colonized by Ontario. Within the Union they assumed that the North-West would become a political adjunct to the Upper Canadian bloc in the Legislative Assembly. This would further weaken Lower Canada's position.

Upper Canada felt restricted and frustrated by the Union. At the same time the dominant party was centred in French Canada. Thus it is not difficult to understand the entry of racism into Canadian politics. Upper Canadians often blamed the French Canadians for political defeat, and introduced 'the French problem' into numerous issues. In 1863, for example, the *Globe* commented:

... we ... urge that every opportunity may be given for the just settlement of the Representation question, and the opening of the great North-West, for sectional reasons. But those matters have their provincial ... aspects too. We do not desire to see

Canada financially ruined. We do not want to see her progress hindered by the continued domination of a power the highest of whose aspirations is the conservation of everything French.

When changes were imposed on Upper Canada's school system, against the wishes of a majority of Upper Canada's members, the *Globe* thundered, as the Scott Bill passed one of its legislative hurdles, "Good often comes out of evil. It may possibly be that the great stroke of our French masters may be the last which they will have the fortune to win. If Upper Canada was only united, their power would be at an end." Inter-sectional Reform co-operation became extremely difficult under these circumstances. By the early 1860's the parties had become polarized to such a degree that they were evenly balanced in the Legislative Assembly. Active and creative government had become impossible. The settlement of 1841, modified in 1848-49, was bankrupt. Canada needed a new constitution. That constitution would be moulded by the experiences of the Union and by the place occupied by Canada in the Empire and in North America.

The External Framework

The framework of the early 1860's was one of crisis, both internally and externally. The Reciprocity Treaty of 1854 gave such Upper Canadian products as wheat, flour and timber a very favourable position in the American market and facilitated their shipment to Europe. The decade of the 1850's was prosperous. This economic upswing was the product of many factors, but the Reciprocity Treaty was regarded as a major cause. Thus, during the 1860's, many Upper Canadians were concerned and frightened when it became clear that the United States, controlled by protectionists and resentful of the British and Canadian attitudes towards the Civil War, would abrogate the Reciprocity Treaty as soon as was legally possible — 1866. This threat to the North-South trade axis, while almost certainly exaggerated, forced Upper Canadians to contemplate alternatives. A logical one of these was some sort of East-West trade axis based on the old Laurentian strategy expanded to include the maritime colonies in the east and the territories of the Hudson's Bay Company in the west. This of course helped orient thought in the direction of some sort of British North American union. Upper Canadians, however, preferred reciprocity to any alternate policy. In late 1865 Brown resigned from the government when he concluded that insufficient vigour was being displayed in the attempt to renegotiate the treaty of 1854. The popularity of reciprocity in Ontario was made clear by the discontent caused by the failure to obtain a new reciprocity arrangement as part of the Treaty of Washington, 1871.

Fear of American intentions in other areas helped produce a British North American consolidation. In retrospect it seems highly unlikely that United States designs were seriously formulated or a potential threat of any importance. They were regarded as real during the 1860's, however, in Ontario where American belligerence came into conflict with several preoccupations.

The North-West was a major preoccupation. The Red River valley was the strategic key to the area. Many in Ontario feared that unless Canada or Britain filled the vacuum being created by a disintegrating Hudson's Bay Company government, the United States would do so by occupying that valley. Some settlement was required which would enable Canada to annex the North-West Territories, for Britain was reluctant to embark on any new responsibility in the interior of North America. Like the approaching end of reciprocity, this problem pointed to a broad British North American union. French Canada feared the annexation of the North-West to a union, the equilibrium of which was already threatened by the great wealth, population and energy of the western section. It was assumed by most Canadians that the West would be colonized by Canada West. Once bloated by the annexation of the North-West Territories Canada West would make rep-by-pop irresistible, and rep-by-pop within the framework of the Union was regarded by the French Canadian leaders as anathema.

The Fenian movement, a mixture of Irish nationalism and American manifest destiny, during the immediate post-Civil War years, constituted real, living proof to the Upper Canadians of American ill-will. Upper Canadian patriotism had been 'blooded' in 1812-14 and 1837-38. The fierce patriotism of major sections of opinion was aroused by the Fenian threats of 1865 and 1866, and helped produce a feeling of unswerving loyalty which tended to strengthen the established leadership and to discredit the opposition. The Fenians thus underlined Canadian insecurity and weakness and provided the Confederation leaders with an excellent rallying cry.

American belligerence challenged Upper Canadian opinion in another more subtle and indirect way. While defending the autonomy Canada had attained within the Empire, Upper Canadians for the most part found it in no way inconsistent to support the integrity of the Empire. Thus they resented and feared the new United States position of power and the threat that position posed to Britain, whether the threat was represented by unacceptable claims to Canadian fisheries, 'political' attacks on Britain during American elections, or the crude manifestations of expansionism associated with such men as Senator Charles Sumner. Anglo-American relations

were, in fact, in a state of crisis from the early period of the Civil War until the negotiation of the Treaty of Washington, 1871. During this entire decade Upper Canadians were aware of the fact that in the event of war, Upper Canada would become a battlefield. Canadian vulnerability was all too clear, making many Canadians aware of the importance of the British tie to Canadian survival in North America as a separate entity. This sentiment was shared by many Upper Canadians and encouraged them to think in terms of some sort of British North American consolidation, as a counter-balance to the tremendous magnetic power of the post-Civil War United States. Such a consolidation proved welcome to the British leaders.

The Confederation Movement

By the early 1860's it was clear that a new settlement was needed. Several Canadian interests were threatened by various manifestations of American power. A British North American consolidation was desired by the British. The Canadian political system was bankrupt. The British North American populace did not understand these dangers and pressures. There was popular support for change but this support was usually for change of a sectional nature, like rep-by-pop. There was no broad movement for any single programme of change and an attempt to create such a movement would have failed. Thus the political leaders were required to work out a new settlement and to impose it on the populace without recourse to a referendum or a general election in each of the colonies. This point was well expressed by L. B. Irwin, an American historian. He explained that "The confederation movement . . . was not a spontaneous action of the people demanding national unity. Rather it was a deliberate move of the controlling statesmen to protect the people against dangers that many of them did not recognize or fear." Thus the confederation movement was *non*-popular in the sense that it was not the product of a mass movement, and *un*popular in the sense that various parts of the settlement were disliked by various components of the federation. Both the non-popular and the unpopular aspects of Confederation were inevitable once it was decided to include in one union Canada, New Brunswick, Nova Scotia, Prince Edward Island and the North-West. These units were so disparate in nature as to make popular consensus impossible and the concept of a single popular movement, absurd.

Confederation was not the only alternative. Several other suggestions were made, and because the real pressure for change came from Canada West, most of the alternatives originated there

during the 1850's. The most famous programme was representation by population, advocated by George Brown and by numerous other leaders. This would have turned the Union into a true legislative union, and would have constituted a political revolution. It was a sectional cure for what many regarded as a sectional problem, and naturally was violently opposed by the French Canadians. Rep-by-pop would have added much power to the rapidly growing area west of Toronto and was thus unpopular not only in French Canada but in eastern Ontario, the oldest part of Canada West. Neither John A. nor John Sandfield Macdonald supported representation by population. They represented respectively, eastern Ontario Conservatism and eastern Ontario Liberalism.

After his return to politics in 1851, William Lyon Mackenzie advocated the dissolution of the Union. Such a programme was attractive in its simplicity but clearly not acceptable. It would have isolated Upper Canada as an inland colony and left Lower Canada and the United States in control of her access routes to the outside world. Mackenzie's policy was especially unpopular in eastern Ontario, an area closely tied to St. Lawrence commerce and Montreal. Eastern Ontario clearly had interests and opinions distinct from those of the western part of the section. Canada West was not a monolith. The eastern section of the province often felt a closer identity of interests with the central part of the Province of Canada, Montreal to Belleville, than with Toronto and the western agricultural section.

The theory of the double majority was advocated by John Sandfield Macdonald, premier of Canada 1862-64, and of Ontario 1867-71. Similar to John C. Calhoun's theory of concurrent majorities, it may have derived from the American South. Certainly J. S. Macdonald was in touch with things southern, having married a daughter of George Augustus Waggaman, United States Senator for Louisiana from 1831-35. The theory of the double majority is simple. It posits that a government should stay in power only so long as it has a majority in each section. Or in a simpler form, that no measure pertinent to one of the sections pass into law against the majority of that section's representatives. Reasonable enough in theory, the idea broke down in practice. J. S. Macdonald gained power in 1862. In 1863 the Scott Act was passed, imposing changes on Upper Canada's system of education in favour of the Catholic minority, against a majority of Upper Canada's members. To men like Brown, this was just another example of "French domination". The theory of the double majority had failed and dropped from sight.

It was appropriate that the champion of the theory of the double majority was from Glengarry county, in the far eastern part of Canada West. Men like J. S. Macdonald were opposed to both disintegration and representation by population. The double majority was an attempt to preserve the Union by minimizing sectional discontent. At the same time it would have enabled eastern Ontario to maintain its very considerable influence undiminished and preserve its interests.

The federation of the two Canadas was suggested by French Canadians like Dorion, and after the Reform convention of 1859, by the leaders of the Upper Canadian Reform Party. This simple federation would have separated the two Canadas and made possible representation by population in the federal assembly. It would have made possible the annexation of the North-West. The scheme, however, had its drawbacks. Its supporters thought in terms of a very weak central authority, "some joint authority" as the Grits called it. The emphasis was upon separation, not consolidation. The scheme also failed to provide new components. The old problems of the Union, faced by the same leaders, would still be there. A strong feeling existed in some quarters that new combinations and problems were needed to blur and modify some of the patterns of the Union.

The solution finally adopted, the federal union of all British North America was the oldest of the alternatives. It had entered British North American thinking with Lord Dorchester and Chief Justice William Smith during the 1780's. Lord Durham recognized the value of the idea and it was supported by many of the delegates to the British North American League conventions in 1849. The League was centred in Canada West. The policy entered practical politics in 1858 when Alexander Tilloch Galt, a Lower Canadian, required as a condition of his joining the Liberal-Conservative cabinet, that it adopt as government policy the federation of all British North America. Although given only a cursory support, the policy remained a part of the official Liberal-Conservative programme. Thus from the late 1850's, both Upper Canadian parties made federation a part of their official programmes — the Reformers supporting the simple federation of the two Canadas, and the Liberal-Conservatives the more complex federation of all British North America.

Change was clearly needed and by the early 1860's the various alternatives had been delineated. The signal for change was the final bankruptcy of the old political order. After a defeat in Parliament in 1863, J. S. Macdonald obtained a dissolution of Parliament

and went to the country. The results of the general election of 1863 indicated that polarization, and consequently deadlock, was complete. Canada West had become overwhelmingly Reform, with only a small Conservative minority. Lower Canada had become just as Conservative, with just as small a minority of Rouge members. The situation at the beginning of the eighth and final Parliament of the Union was hopeless. No strong or creative government could exist. Any government could be defeated by a handful of Independents or "waiters on Providence" as Richard Cartwright called them. J. S. Macdonald, and A. A. Dorion his co-leader, realized the hopeless nature of the situation and resigned early in 1864. One final attempt to play the old game was then made by G. E. Cartier and J. A. Macdonald under the nominal premiership of Sir E.-P. Taché.

At the same time, George Brown commenced a new and highly creative phase of his career. Politically matured and mellowed by a late but happy marriage, he was by 1864 more a national statesman than a sectional leader. Brown was dedicated to the search for a solution to the ills of Upper Canada, but he had come to understand that far more than one section was involved and that a simple sectional victory was impossible. Shortly before the resignation of the J. S. Macdonald-Dorion government, he moved for and obtained a select committee to inquire into and report on ways to solve the constitutional problems then confronting the Province of Canada. The committee, which included most of the leaders of the assembly, met and discussed the problem. On June 14, 1864, the very day on which the Taché-Macdonald government fell, Brown was able to report to the house on behalf of his committee, strong support for "changes in the direction of a Federative system applied either to Canada alone, or to the whole British North American provinces".

The ultimate crisis of Canadian statesmanship was at hand. The Union had proved itself bankrupt, the government of the day had fallen, a select committee had recommended fundamental change. Could the leaders rise to the occasion and effect change? Again Brown was the catalyst. He had obtained his committee, that committee had recommended federalism and he was now determined to see that solution applied through a new political combination. His role was essentially creative and that of John A. Macdonald, to this point, essentially opportunistic. Macdonald voted against the recommendation of Brown's committee. When the Taché-Macdonald government fell he asked Governor-General Monck for a dissolution. It was only with considerable reluctance that he

agreed to a new departure. The pressure was great. Monck advocated a new combination which would be able to settle the outstanding political and constitutional problems. The old system had collapsed and Macdonald feared that if he refused to enter a coalition he would have to surrender power to the Reformers. As J. M. S. Careless points out in his biography of Brown, Macdonald wrote in 1866, "As leader of the Conservatives in Upper Canada, I then had the option of forming a coalition government or of handing over the administration of affairs to the Grit party for the next ten years." An election was a grim possibility. Elections in 1861 and 1863 had failed to produce assemblies capable of sustaining governments. The election of 1863 had maximized polarization. Another election might further complicate the problem by intensifying the Upper Canadian desire for representation by population and thus reducing even more the ability of the leaders to manoeuvre. Macdonald thus agreed to Brown's suggestion of coalition, as did Cartier the leader of the Lower Canadian Conservatives. Each leader confronted a similar situation. The old order had broken down. A new settlement was needed. Of the alternatives only a federation of some sort remained. Failure to act could easily lead to a profound crisis involving disintegration and inability to resist the magnetic power of the United States.

The coalition of 1864 was indeed "The Great Coalition". It contained several men of unusual ability and united the Reformers and Conservatives of Canada West with the Conservatives of Canada East. Only the Rouge Party and a handful of individual dissidents from both sections went into opposition. The coalition thus possessed overwhelming power in the assembly. The new government was pledged "... to bring in a measure next session for the purpose of removing existing difficulties by introducing the federal principle into Canada, coupled with such provision as will permit the Maritime Provinces and the North-West Territory to be incorporated into the same system of government". The Great Coalition was formed in June, 1864 to meet the need for change. The coalition led by Brown, Macdonald, Cartier and Galt was to be the instrument of change, and the broad federalism of the Conservatives its programme of action.

The New Constitution

The coalition proceeded quickly. A maritime conference was called for September, 1864 at Charlottetown to discuss maritime union. To that conference the Canadian leaders went and presented, in rough outline, a scheme for a broader union — a federation of British North America. The maritime leaders were receptive, and

it was agreed by the various delegations to reconvene at Quebec City in October, 1864 to discuss terms of union. The Quebec Conference was successful, producing seventy-two resolutions which became known as the Quebec scheme, the framework of a new federal constitution. That Quebec scheme was modified in several respects at London during 1866-67, the most important modification being the strengthening of the educational rights of the minorities in central Canada. The Quebec scheme, so modified, was then enacted into law by the imperial parliament as the British North America Act.

The new constitution was essentially Canadian. The Charlottetown and Quebec Conferences were dominated by Canadians. It was the Canadian leaders who made the basic presentations — which were then debated and usually adopted with only minor modifications. The maritime leaders accepted the Canadian proposals and the British gave them strong support.

Within the Canadian delegation the role of Canada West was decisive. That section was the source of the strongest pressure for change. It was logical enough then, that creative leadership should come from the Upper Canadians. The French Canadian leaders were on the defensive — accepting confederation only because change of some sort was imperative and because confederation seemed to be the least dangerous of the alternatives. Thus, the Upper Canadian leaders, George Brown and John A. Macdonald, were the men most responsible for the new settlement. This is not to deny the contributions of the other leaders. Alexander Tilloch Galt was influential in the fields of minority rights and finance. Cartier was a strong proponent of federalism and guarded the interests of Quebec. Tupper and Tilley made their contributions too, but in a more negative way. They imposed conditions which had to be incorporated into the scheme.

The new constitution involved the establishment of a federal union of Canada West (renamed Ontario), Canada East (renamed Quebec), New Brunswick and Nova Scotia. Prince Edward Island and Newfoundland opted not to become charter members of the new dependency which was named the Dominion of Canada. Provision was made for the annexation of the North-West, the vast territories of the Hudson's Bay Company. Federation involved division as well as union, for it ended the Union of 1841 and separated the two Canadas. The central authority was a government responsible to the lower house of a bicameral Parliament. The upper house, the Senate, was nominated by the crown, in practice the cabinet, and contained twenty-four members from each of the three

regions, Ontario, Quebec and the Maritimes. The lower house, the House of Commons, was an elective body based on a Canadian version of representation by population. That is, a province's membership was to be proportionate to its population, but within each provincial representation numerous anomalies and inequities could continue or emerge. The representative of the crown continued to be a Governor-General. The central government, Parliament and public service proved to be modifications and enlarged continuations of those of the Union. Ottawa, the small Ontario city which had been the last of the numerous capitals of the Union, became the federal capital.

Ontario and Quebec needed new constitutions which were incorporated in the B.N.A. Act. Ontario obtained a unicameral legislature, a small cabinet and Toronto as its capital. Each province received a Lieutenant-Governor, appointed by the central authority as the representative of the crown. The division of powers between Ottawa and the provinces was very much in favour of Ottawa. As Donald Creighton has commented, "It must always be remembered that the great aim of Confederation was a strong federal union of all the British provinces and possessions on the North American continent . . ." Not only did Ottawa receive very extensive powers but it was also enabled to intervene in the affairs of the provinces. The federally appointed Lieutenant-Governor could reserve legislation, and the federal authorities could disallow any provincial legislation for any reason whatever, within a year of its passage. Provision was also made for dual-representation, a system which enabled a man to sit in both a provincial assembly and in the House of Commons. Thus federal leaders like Macdonald and Cartier hoped to integrate provincial and federal decision making in the interests of the federal power.

The settlement also contained minority guarantees. French and English were to be the official languages of Parliament, the federal courts, the Quebec legislature and the courts of Quebec. The Quebec civil law was guaranteed. Equal regional representation in the Senate guaranteed both Quebec and the maritimes an influence in that body equal to that of Ontario. These guarantees, while essential if French Canada was to support the scheme, meant little to the daily life of Ontarians. Ontario was not a bilingual province. It was very much a British province. Even Ottawa, the federal capital, was not distinguished from other Ontario cities in terms of language or law. It was a small English speaking Ontario city, not a federal capital in the sense that it belonged to or represented the new federal state.

The one guarantee that did influence Ontario in a direct way was in the field of education. The educational privileges of Quebec

Protestants and Ontario Catholics, as they existed in law in 1867, were guaranteed in perpetuity. The privileges possessed by Ontario Catholics were obtained piecemeal during the Union and consolidated in the Scott Act, 1863, an act passed against the wishes of the majority of Upper Canadian members of the assembly. The Scott Act thus contained the guarantees embodied in the British North America Act and is an important part of the confederation settlement. It provided separate schools at the elementary level, based on religion and supported by public funds, for Catholics who wanted such schools. Catholics however, were free to support the public schools if they desired. The system was really a modified common schools system because the Chief Superintendent of Schools possessed over separate schools extensive rights of inspection and regulation. Thus in things academic a single school's system existed. Language was not an important educational issue in the 1860's, although it became a critical problem within a generation of 1867. In the immediate post-confederation period instruction was carried on in English, French and German. During the generation after 1867 the system was modified, in several instances in favour of the Catholic minority. But these modifications changed the settlement in no fundamental way. The settlement of 1867 stands yet, and its guarantees involve not language or nationality, but religion.

The Debate

Confederation was clearly to the advantage of Canada West and was accepted in that section with an enthusiasm reflected in no other part of British North America. This is indicated by a reading of the famous *Confederation Debates*, the 1865 debates on the Quebec resolutions and the vote on those resolutions. The Ontario members voted fifty-four to eight in favour, the Quebec members only thirty-three to twenty-five. Amongst the French Canadian members, the issue was very close with twenty-seven for the resolutions, twenty-one against. The pervasive nature of the coalition muted opposition amongst the Upper Canadian members, as did the fact that the opponents of Confederation possessed no viable alternative. John A. Macdonald referred to "... the danger of impending anarchy" which existed prior to the formation of the coalition. It was surely impossible to return to that state! Or as George Brown expressed it, "... no man who has a true regard for the well-being of Canada can give a vote against this scheme, unless he is prepared to offer, in amendment, some better remedy for the evils and injustice that have so long threatened the peace of our country".

The sectional advantages of the scheme were well discussed by the Ontario leaders, Brown and Macdonald. Brown pointed out that

the basic complaint of Upper Canada would be removed. Representation by population had finally been secured. The Quebec scheme, he said, "... gives representation according to numbers ... and it provides a simple and convenient system for re-adjusting the representation after each decennial census". Rep-by-pop automatically removed the complaint concerning finances for, continued Brown, "... under this plan, by our just influence in the Lower Chamber, we shall hold the purse strings". At the same time Brown exulted in the removal of external, that is French Canadian, control over matters local to Ontario:

All local matters are to be banished from the General Legislature; local governments are to have control over local affairs, and if our friends in Lower Canada choose to be extravagant, they will have to bear the burden of it themselves. (Hear, hear.) No longer shall we have to complain that one section pays the cash while the other spends it...

The acquisition of the North-West was another basic objective of Canada West. "The resolutions before us", said Brown who had attacked the Hudson's Bay Company for years, "recognize the immediate necessity of those great territories being brought within the Confederation and opened up for settlement".

Canada West, especially Toronto and the western part of the section, was optimistic and buoyant about the economic future of Ontario. It was assumed that economic expansion would be rapid under Confederation and would be to the advantage of all the citizens. "Why, sir," said Brown, the representative businessman, "there is hardly a political or financial or social problem suggested by this union that does not find its best solution in a large influx of immigration. The larger our population, the greater will be our productions, the more valuable our exports, and the greater our ability to develop the resources of our country." Immigration would even solve the defence problem. "Fill up our vacant lands, double our population," argued the Reform leader, "and we will at once be in a position to meet promptly and effectually any invader who may put his foot with hostile intent upon our soil."

Macdonald explained how confederation would strengthen Canada in relation to the United States. "If we are not blind to our present position, we must see the hazardous situation in which all the great interests of Canada stand in respect to the United States." While expressing the hope that there would be no war between the United States and the United Kingdom, he argued "... that the two nations may drift into a war ..." and that "It would then be too late ... to think of measures for strengthening ourselves, or to begin

negotiations for a union with the sister provinces." Canada would be strengthened by union, for "... it will draw closer the bonds that unite us to Great Britain . . .," commented George Brown.

Brown's major speech clearly illustrates Upper Canada's willingness to pay the costs of union. The old opponent of sectarian education was willing to accept, however grudgingly, guarantees for the educational rights of Ontario Catholics. It was, he argued, simply a guarantee of the settlement of 1863, and that settlement was "... a final compromise of the question in Upper Canada". It was nonetheless "... a blot on the scheme before the House; it is, confessedly, one of the concessions from our side that had to be made to secure this great measure of reform. But assuredly, I, for one, have not the slightest hesitation in accepting it as a necessary condition of the scheme of union . . ." A modified form of representation by population was accepted:

Our Lower Canada friends have agreed to give us representation by population in the Lower House, on the express condition that they shall have equality in the Upper House. On no other condition could we have advanced a step; and, for my part, I am quite willing they should have it.

For similar reasons of political realism, men like Brown were able to accept first, a financial settlement which provided an extra subsidy for New Brunswick, and second, the construction of an intercolonial railway by the government, both policies highly distasteful to the Reform leaders. It was understood however, that without such concessions there could be no Confederation.

Ontario and the New Order

Confederation began its official life on July 1, 1867. Ontario certainly had every reason to be the most jubilant of the provinces. Fundamentally it had won a great victory, a fact well illustrated by its place in the union. According to the census of 1871 Ontario had 1,600,000 persons, 46% of a total Canadian population of 3,500,000. It was the wealthiest and most dynamic of the provinces. Its share of seats in the House of Commons in 1867 was proportionate to its population, namely eighty-two of 181 members, or 45% of the seats. The prime minister was an Ontarian, as was George Brown, the key opposition figure from his resignation from the coalition in 1865 until his defeat in the general election of 1867. Brown's position was then taken by Alexander Mackenzie and Edward Blake, it being assumed by most public men that a potential prime minister should be an Ontarian, not a Quebecer like A. A. Dorion or Luther Holton. In addition to Sir John A. Macdonald, Ontario had four federal ministers for a total of five out of thirteen. The capital was in

Ontario. When a provisional government was established for the North-West in 1869, William McDougall, a long time Grit expansionist, was named Lieutenant-Governor. At the same time Ontario retained her access routes to the Atlantic and, in return for a great place in the new Dominion, paid very little in the way of concessions or minority guarantees.

The approach of Ontarians to Ontario's place within confederation was complex, although those who gave the matter any thought must have realized that her role would be a great one. It is customary to divide early Ontario thinking about federalism into two streams — centralist, represented by John A. Macdonald, and provincial rightist, represented by the Ontario Reformers and especially by Oliver Mowat.

That Macdonald was a centralist is clear. He preferred a legislative to a federal union, and while he accepted federalism he intended to minimize the authority of the provinces. In a very revealing statement quoted by Donald Creighton in *The Road to Confederation* he made that point clear. Writing to Matthew Crooks Cameron late in 1864 he said, "... If the Confederation goes on you, if spared the ordinary age of man, will see both local parliaments and governments absorbed in the general power. This is as plain to me as if I saw it accomplished." Macdonald's centralism was so extreme as to negate the classical meaning of federalism as a system of co-ordinate sovereignties. J. R. Mallory describes this as "quasi-federalism" and describes it as a system natural to the Canada of the 1860's, and to some of the provinces until much later.

The "colonial" relationship with the provinces was a natural one — much more natural than the "co-ordinate and autonomous" relationship more appropriate to a federal system. Macdonald and his ministers had grown up politically in a system in which the governor still played a role as an imperial presence...

It therefore seems more appropriate to think of the dominion-provincial relationship at that time as similar to the relationship of the imperial government with a colony enjoying limited self-government.

Macdonald's "quasi-federalism" quickly broke down in the case of Ontario. But the first Ontario government was in close alliance with Macdonald, and was in fact arranged by the prime minister. Because of the crisis in Anglo-American affairs, the first Lieutenant-Governor was a military man, General Henry William Stisted. Stisted, following the advice of John A. Macdonald, called upon John Sandfield Macdonald to form Ontario's first government. He put together a strange government. J. S. Macdonald, the Premier and Attorney General, was a Catholic, an eastern Ontario Liberal and had

been one of Upper Canada's few opponents of Confederation. Edmund Burke Wood, known as the "Big Thunder", became Provincial Treasurer. Wood was another renegade Liberal. He supported the coalition and was most reluctant to follow Brown into opposition when Brown left the coalition. Brown found him a most unsatisfactory follower, and on July 2, 1867 stated, "... he solemnly declares not but G. T. R. [Grand Trunk Railway] own him." Stephen Richards, another eastern Ontario Liberal (although he represented Niagara) became Commissioner of Crown Lands. His brother, Albert Morton Richards, had served briefly as Solicitor-General under J. S. Macdonald when the latter was premier of Canada. Matthew Crooks Cameron, a Conservative and a biting critic of Confederation, became Provincial Secretary and Registrar. Cameron had disconcerted the coalition in 1864 when he defeated William McDougall, one of the three Reform cabinet ministers, in a by-election in North Ontario. John Carling, a Conservative and wealthy industrialist from London, Ontario, became Commissioner of Agriculture and Public Works. One of Carling's political attributes was his handsome, honest appearance. John A. Macdonald is reputed to have said that "... no man could be as honest as John Carling looked". This cabinet, known as the "Patent Combination", was indeed an odd assortment. Two of its members were very effective critics of Confederation. Three were renegade Liberals. Not one was a provincial leader of the first rank. However, it was able to perform a useful function for Sir John. It helped maintain the coalition idea, an idea very useful to the federal Conservatives in the election of 1867. It kept the Brownite Liberals out of power in Ontario. Finally, it helped establish the kind of federal-provincial political integration which Macdonald thought so essential to his concept of federalism. The two Macdonalds were partners after 1867. They worked together and gave each other moral and practical support. The extent of this political integration is revealed by the fact that of a cabinet of five, three (Macdonald, Carling and Wood) held federal seats and supported the Macdonald government in the House of Commons. This was true even in the first session when J. S. Macdonald, absurdly, sat in the seat of the leader of the opposition. It is not surprising that the provincial Liberals opposed this kind of integration and argued for more provincial autonomy. Logically enough, they were determined to end dual-representation and to make impossible the federal-provincial political integration represented by J. S. Macdonald, Carling and Wood. The Ontario Liberals argued that the first provincial government was too receptive to suggestions from Ottawa.

While it is clear that the Ontario Conservative leadership considered federal-provincial relations in terms of "quasi-federalism", it

is just as clear that the approach of Ontario Liberals to federalism was more in keeping with its classical meaning of co-ordinate sovereignties. The powers allocated to Ontario were to be exercised by an Ontario government, independent of Ottawa. Outside control was to end with the repeal of the Union. This was an essential part of the Upper Canadian Reform tradition. During the years after 1867 the Liberal and Conservative conceptions of federalism clashed, and the Ontario Liberals adopted the 'provincial rights' stance associated with Sir Oliver Mowat.

This does not imply, however, that Liberals and Conservatives held, in 1867, radically different opinions concerning the place Ontario occupied or ought to occupy in the new Canada. It was to be a great place. Macdonald wanted a strong central government, but he also wanted a strong Ontario representation in his party. From 1867-72, and from 1878 to the general election held immediately prior to his death in 1891, Macdonald held strong Ontario majorities. For their part, the Liberals wanted to control both Ontario and the Dominion. In 1867 they failed at both levels, and during the early years of Confederation found much to criticize in the policies of the federal government, especially in such areas as the adjustment of subsidies and the policy concerning the North-West. They worked hard to defeat both Macdonalds, and they succeeded. In 1871 the provincial regime was upset and the Liberal government was formed under Blake. That government, under Edward Blake, Oliver Mowat, A. S. Hardy and G. W. Ross remained in power until 1905. In 1872 the Liberals won a majority of Ontario's federal seats, and in November of 1873 destroyed the first federal government. Alexander Mackenzie then formed Canada's first Liberal government, a body dominated by Ontario, and held power until 1878. The Ontario Liberals had reason to be happy during the 1870's. Confederation was accepted on the basis of majoritarian principles. With only a few minor checks and modifications, provincial and federal decisions would be made by majorities. By 1873 the Liberals controlled not only Ontario but also the Dominion. By that date, Ontario exercised the type and degree of authority which the Reformers considered proper and just.

Ontario in Confederation

In most respects Ontario fared well under Confederation. All expectations were not realized, of course, but that was natural enough since the leaders of the 1860's could not foresee every possibility or provide for every future exigency. Saving the minority guarantees included in the British North America Act, Canada and the provinces evolved a majoritarian system of governments. Majoritarianism was implicit in the Upper Canadian demand for

representation by population, a demand posited on the fact that after 1851 Ontario possessed a majority of the Canadian population. Compromise and accommodation in the interests of ethnic or religious minorities have often prevailed in Canadian and provincial politics. However a series of tests at both levels of politics proved that majoritarian principles were the governing principles of Canadian politics. This basic Ontario premise, sometimes very nearly a cause, was revealed federally in 1885 when Riel was executed, and in 1917 when conscription was imposed. At the provincial level the point is illustrated by an abundance of examples — the New Brunswick schools legislation, the Jesuit Estates bill in Quebec, Regulation Seventeen in Ontario and the Manitoba school crisis. In every instance the problem was or became a federal one, and in every instance majoritarian principles were upheld. While the initial guarantees were honoured, Ontario and English speaking Canada in general showed considerable reluctance about extending those guarantees. Hence the privileges given Catholic education and the French language in Manitoba were rescinded, and in 1905 the Roman Catholic minorities in Alberta and Saskatchewan were not given the guarantees sought by Sir Wilfrid Laurier.

What the Upper Canadian Grits called "French domination" ended with Confederation. Ontario obtained control over affairs of a local nature, and the old sectional party, known after 1867 as the Liberal Party, came to power in 1871 and remained there until 1905. In terms of federalism, both Liberal and Conservative positions were in part defeated and in part maintained. After his return to power in 1878, Macdonald found it impossible to continue a highly centralized authority in the face of Mowat's opposition — but he was able to hold power for most of the period between 1867 and his death in 1891. The Liberals, Brown, Blake, Mackenzie and Mowat were not able to rule the Dominion through a solid Ontario bloc at Ottawa — but they were able to rule their own province. The influence of Ontario and Ontarians in federal politics should not be underestimated because of the Liberals' record of failure at that level of politics in the generation after 1867. Between 1867 and 1967 Ontarians will have held the prime ministership, Canada's most important public office for over fifty years.

On one crucial issue the Reformers miscalculated. Rep-by-pop did not give Ontario control of the purse. Almost immediately the financial settlement began to be modified in favour of the poorer provinces, and those provinces able to exert considerable pressure on the federal government. Very shortly after the first Dominion Day, Ontario's Liberal leaders were able to complain that the province was again paying taxes that others spent. Ontario, it was

complained, was the Milch Cow of Confederation. The Reform leaders did not foresee that much political power at the federal level would be marshalled to prevent the preponderance of Ontario, and that many of the province's politicians and voters would acquiesce in this development. But even for the Liberals, the long Conservative ascendancy contained one bright spot. The chronic political instability of the Union was no more.

The North-West was annexed and Manitoba became at least a cultural colony of Ontario in spite of the success of the Metis resistance of 1869-1870. Economically however, Montreal far more than Toronto, became the metropolitan centre for the West. Manitoba almost immediately developed a tough political system independent of Ontario, and during the early twentieth century European immigration altered in a fundamental way the nature of the continental West and its relationship with Ontario and with all of eastern Canada.

George Brown's optimism about the economic future was only partly justified. The progress predicted did not materialize. A depression began in the mid-1870's and prevented rapid economic development until the end of the century. It slowed the development of the North-West and contributed to a virtual haemorrhage of emigrants. Nonetheless Ontario was and remained the wealthiest of the provinces.

The consolidation of British North America and the consequent reduction of British commitments in North America helped produce the late nineteenth century revival of British imperialism. That revival helped produce a heightened sense of Canadian identity and encouraged the growth of Canadian nationalism, especially in Ontario. This nationalism is evident in both the Canada First movement of the 1870's and the imperialist movement of the 1880's. Both were complex movements, but were, amongst other things, anxious that Canada maintain her independence in North America. While not exclusive by design, these movements developed racist overtones and were stronger in Ontario than elsewhere. They became, in fact, Anglo-Saxon movements and thus antagonized French Canada. During the nineteenth century nationalism in Ontario tended to be racist and provincial. This cannot discount the fact that the consolidation of the 1860's, of which Ontario was the major unit, did help to counter the magnetic power of the United States and did produce in Ontario a burst of enthusiasm and patriotism in the years immediately after 1867. Confederation did help maintain the autonomy of Canada within North America, and that had been a major objective of the Fathers of Confederation.

The inauguration of the new system in 1867 was both the end and the beginning of a story. Making the new system work would be difficult, and at times painful — a fact clearly seen by Walter Shanly, a highly intelligent member of the last Parliament of the Union. While supporting Confederation he was critical of it, but was confident of the political maturity of Ontarians and Canadians. “. . . I cast my vote for and my lot with the Confederation” said the member for South Grenville in the *Confederation Debates*, “and this I do in the fullest confidence and belief that, however faulty may be certain of the details of the scheme, and however awkward it may be to work out some of its provisions successfully, the resources of the people of these provinces, their innate adaptation for self-government, will be found fully equal to overcoming all the difficulties and obstacles that may beset their path”. Even Walter Shanly could foresee only a few of the difficulties Confederation would encounter during its first hundred years. But he was right to emphasize the “innate adaptation for self-government” of the people of British North America. They have revised the settlement of 1867 over and over again, and made it a living, working framework for the life and politics of the Dominion of Canada.

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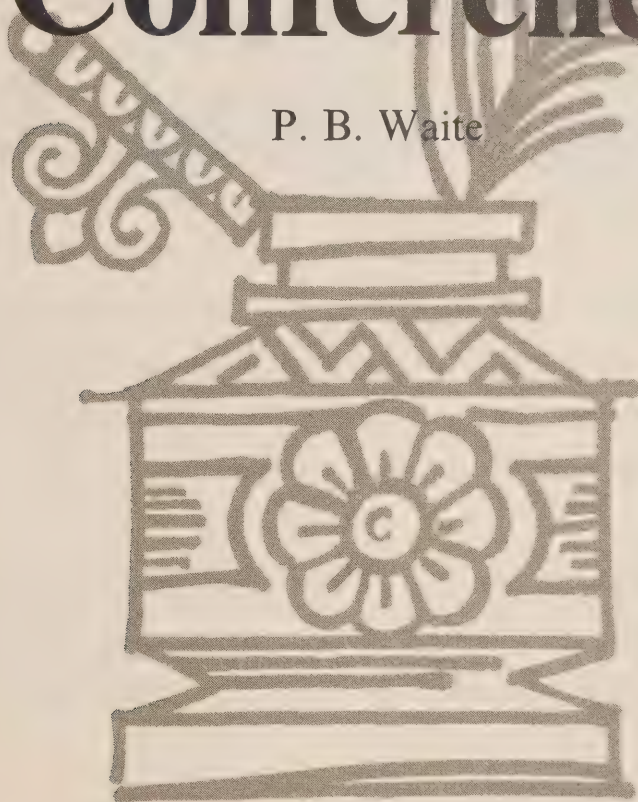
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The Charlottetown Conference

P. B. Waite



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The Charlottetown Conference

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THE CHARLOTTETOWN CONFERENCE

The Charlottetown Conference, like many events in history, was the result of precedents and accidents, the outcome of which few could have foreseen. That it produced Confederation was to many in the Maritime provinces the most surprising thing of all. The conference was held ostensibly to discuss the union of the three Maritime provinces, New Brunswick, Nova Scotia and Prince Edward Island. The substitution of Confederation for Maritime union was a brilliant stroke engineered by Canadians from the province of Canada, who would not have dreamt of going to such a conference had it not been for their own peculiar exigencies.

Union of the three Maritime provinces had been proposed on and off ever since Nova Scotia had been split up at the end of the eighteenth century. Prince Edward Island had been carved off in 1769. Under the impact of the Loyalists, two additional colonies, New Brunswick and Cape Breton, were established in 1784. Cape Breton was rejoined to Nova Scotia in 1820; and thirty years after that lieutenant-governors of New Brunswick and Nova Scotia had begun to suggest, largely on their own initiative, the reunion of the three colonies. By the 1860's Maritime union, as it was called, had become official Colonial Office policy. The Duke of Newcastle, Colonial Secretary from 1859 to 1864, wanted it; Sir Edmund Head, John Mannors-Sutton and Arthur Gordon, successively lieutenant-governors of New Brunswick, urged it; the Earl of Mulgrave, Lieutenant-Governor of Nova Scotia, was persuaded of it: but all this imposing advocacy could not seem to breathe life into Maritime union. The three Maritime provinces all had responsible governments; governors could urge and persuade, but without acceptance by three cabinets and the legislatures to which they were responsible, Maritime union could never become a reality.

It was understandable why Maritime politicians were reluctant to accept Maritime union. For Maritime union was always understood to be the union of three provinces and three legislatures into one province and one legislature. To the outside observer it was an efficacious union that would remove pettifogging politicians and their perennial preoccupations with roads and bridges, and would elevate public concerns to more spacious dimensions; but in terms

of local political interests, the losses were considerable. Many politicians, and offices, would disappear in a new united province of "Acadia". And where would be the capital of "Acadia"? The province of Canada had spent ten years wrangling over the question of the capital. In the Maritime provinces the answer was no easier. New Brunswick politicians could hardly contemplate with sweet resignation the capital's being in Halifax. Prince Edward Islanders were determined that Charlottetown would remain the capital of something, if only of Prince Edward Island. The weary advocates of Maritime union in the Colonial Office in London and in the governors' residences in Fredericton and Halifax must have reflected that provinces were easy to create but difficult to get rid of. There they were, each of the three with the full apparatus of a two-chamber legislature, a responsible government, and yet with a combined population of not more than 700,000. It was ridiculous and it was expensive. The three provinces were almost like separate countries: each had its own stamps, coinage, customs duties. To go from New Brunswick to Nova Scotia was nearly like going to the United States. It was here that the slight public support for Maritime union rested. Abolition of intercolonial customs barriers seemed sensible, and this was the reason why some New Brunswickers, like Leonard Tilley, were persuaded of the value of a customs union. But even this argument did not seem to pull much weight. One must conclude that however rational Maritime union appeared to be, it found little support in the legislatures or among the electorate. There was an air of unreality about it. It would appear in after-dinner speeches, or in hopeful utterances from lieutenant-governors, but only a few far-sighted and vital men cared to bring it to real negotiations.

How it got to the conference table in September 1864 is a curious story. It begins with the Intercolonial railway. The Intercolonial railway was a more concrete question than Confederation or Maritime union, and it had created much more discussion, negotiation and trouble in the past than either of the two unions. For twenty years, from 1845 to 1864, the interrelations of Canada, New Brunswick and Nova Scotia had largely centred on the Intercolonial railway. And in 1864 it was still not built, or even under construction. The reason it was not was the monumental difficulty of getting four different governments to agree on terms and route. Each wanted different things for its money. A majority in New

Brunswick preferred the railway to run via the Saint John river valley; the British government insisted that it go via the eastern (also called the north) shore, along the Gulf of St. Lawrence. The province of Canada was divided. Canada East might accept the railway in order to have an all-British route to a winter port; Canada West preferred to see Canadian money spent—if at all—on opening up the North-west. The railway promised to be expensive; it was said it would not pay even for the ties it ran on; and not a few Canadians, East as well as West, had doubts about the expense of such a line. Nova Scotia could afford to be detached about routes; she wanted simply the railway, which would end at Halifax anyway. How it got there was not so important, save for a few delicate considerations in the Isthmus of Chignecto.

In 1862, owing largely to the *Trent* crisis of November-December 1861, the provinces of Canada, New Brunswick and Nova Scotia, at a conference at Quebec, at last agreed on a division of the costs of the Intercolonial railway—in the proportion 5 : 3.5 : 3.5. This was taken to England in November 1862 by delegates from the three provinces, so that arrangements could be concluded with the Imperial government for a guaranteed loan. Her Majesty's Government made stipulations that made the Canadian delegates acutely uncomfortable; and the Canadian government, precariously in power anyway, could not risk losing votes for the sake of a railway that failed to appeal to the whole western wing of its supporters. In the spring and summer of 1863 further negotiations were conducted between Halifax, Fredericton and Quebec on the Imperial requirements; Nova Scotia and New Brunswick passed acts implementing the arrangements: but the government of Canada did nothing. Sandfield Macdonald, the Premier of Canada (he was of the opposite political persuasion from John A. Macdonald) was personally willing to have the Intercolonial; he told Tilley of New Brunswick in 1863, "I declare to God, Tilley, if I thought by resigning my office we could get the Intercolonial railway, I would do it." But Sandfield Macdonald's willingness was not enough. A. A. Dorion, the Provincial Secretary, left the cabinet on the issue in September 1862, resigning his office in January 1863; and many of Sandfield Macdonald's supporters were opposed to the Intercolonial on the terms offered. Dorion rejoined the government in May, and at last, in September 1863, the Sandfield Macdonald government revealed the disagreeable truth: the arrangements of 1862 would be

abandoned. Canada would now only consider a survey. To contribute to a survey with no real prospect of a railway was more than New Brunswick could accept with equanimity. Bitter recriminations burst forth from the New Brunswick government, and from newspapers both in New Brunswick and Nova Scotia, against the perfidy of Canada.

It was in this mood that New Brunswick and Nova Scotia turned with rather more enthusiasm than usual to Maritime union. Spurned by Canada and smarting under the treatment, they were ready to talk about some counter-measure. "One set of laws, one Government, one tariff," wrote the Saint John *Daily Evening Globe* on November 4, 1863, "would produce interests in every way identical; identical interests would produce a unanimity of opinion and purposes among us, and this would make the United [Maritime] Provinces powerful. We could talk with some effect. Canada would not dare to treat us so basely as she has done."

But this state of mind did not seem to last long. Early in 1864 the Sandfield Macdonald government offered to pay for the whole survey itself. Sandford Fleming had been appointed as surveyor for Canada as early as August 1863; but at that time New Brunswick would not pay its share of the survey except upon the basis of a definite agreement about the railway. Now, in February 1864, the Canadian government offered the whole survey for nothing! Some reasons for this move can be adduced. Tupper in Nova Scotia continued privately to press the Sandfield Macdonald government for some positive action, and Tupper was aided by the managing director of the Grand Trunk Railway, C. J. Brydges, who was interested in building the Intercolonial railway. Hostile American attitudes evidenced in the New York press, and the more practical hostility of the American Senate—in threats to abrogate the bonding system—worried the Canadian cabinet. Might Canada be cut off from an outlet to the sea for six months a year? Canada would be, if Americans ended the right of transit for Canadian goods to and from Portland, Maine. So there was a disposition in Quebec to mend Intercolonial arrangements; and while there was some public surprise at the Canadian offer, the governments of Nova Scotia and New Brunswick accepted it with alacrity, and agreed to put all their facilities at the disposal of the surveyor. By March 1864, while it was still winter, Sandford Fleming was at work; shortly after March 10 he was snowshoeing with his party of twenty across the

ninety miles from Rimouski over the Gaspé ridge to the Matapedia valley and down to the Restigouche. Two weeks later he appeared spectacularly in Fredericton for dinner at the Lieutenant-Governor's, clad in a grey homespun suit and a red flannel shirt.

It was while these events were transpiring that the Nova Scotia and New Brunswick legislatures met for the session of 1864. It had been decided to put Maritime union before them. The initiative came from the Colonial Office, the persuasion from the lieutenant-governors (notably Arthur Gordon of New Brunswick) and the willingness from the two governments of the day, Tupper and the Conservatives in Nova Scotia, in power since May 1863, and Tilley and the "Liberals"* of New Brunswick, in power since 1856.

Nova Scotia was rather more favourable to Maritime union than New Brunswick, and the resolution asking for delegates to be appointed to a conference was first presented in the Nova Scotian legislature, on March 28, 1864. But the Canadian offer of the survey—already public knowledge for three weeks—had the effect of depriving Maritime union of nearly all the small momentum it had acquired. The desultory debate in the legislature was indicative; and some members of the House seemed even to prefer a British North American union to a Maritime one. The resolution passed the day it was introduced, without a dissenting voice; but the chill and listlessness of the debate boded ill for the future of the project.

It fared no better in New Brunswick, where it was introduced two weeks later. Tupper wrote hopefully to Tilley that he hoped the Maritime union resolution would pass in New Brunswick with the same unanimity exhibited in Nova Scotia; and the resolution did pass in New Brunswick without a division; but unanimity covered the lifelessness of the issue. Neither one of the leading daily newspapers in Saint John bothered to comment, though they dutifully reported the debates.

In Prince Edward Island the proposal had long met with stout resistance. Of this Tupper and Tilley were well aware; the Island was to be persuaded by money, a sum sufficient to buy out the absentee landlords. But even this was not enough. It was only after the assurance that the proposed conference would discuss only the *expediency* of union that the Prince Edward Island Assembly

*"Liberals" because party labels in New Brunswick had less significance than in other colonies.

was prepared to recommend the appointment of delegates. Here, as in Nova Scotia and New Brunswick, the debates at the time revealed a surprising support for a general British North American union.

It was not surprising that after the debates were over Maritime union became moribund. The legislatures prorogued, the press fell silent; all that remained of Maritime union was what was printed in the official journals of the legislatures; no delegates were appointed, neither date nor place for a conference was set. There is no better testimony to the weakness of Colonial Office advocacy, when unsustained by strong support in the colonies themselves, than this fate of Maritime union. Sir Richard MacDonnell, the new Lieutenant-Governor of Nova Scotia, arrived in Halifax on June 22 with instructions from the Colonial Office to push forward Maritime union by the best means he could, but it was doubtful how much he could have done. Before he had time to try, however, the Maritime union conference was urged on by means as unexpected as powerful: the Canadian government asked permission to attend such a conference to make proposals for a British North American federal union.

A union of all British North America—Confederation, as it was coming to be called by 1864—had a long history. It had been talked about off and on for years, even before Lord Durham had suggested it in 1839; Nova Scotia had debated it in 1854, though it was not voted on; it was Alexander Galt's condition for entering the Cartier-Macdonald government in 1858; an ambivalent resolution on the subject passed in Nova Scotia in 1861, another in Prince Edward Island in 1863; it was accepted in 1862, without enthusiasm, by the Colonial Office in London; and it was being talked about all through these years by newspaper editors looking for wider horizons, and politicians, particularly Nova Scotians, who suddenly, at the height of their power, discovered how parochial their provinces were. Confederation was a dream: it tantalized men and legislatures, sometimes appearing during the despair of bad times, sometimes in the fever of partisan politics, but nearly always, except in poets like Thomas D'Arcy McGee, or visionaries like P. S. Hamilton, the result of some crisis either of the world or of the spirit.

The reasons behind the decisive Canadian action in 1864 can be found in this feeling of crisis — in the fact of the mighty Ameri-

can Civil War, undetermined still, the reverberations of which continued to rock the border and disrupt the Atlantic—more especially, in the political crisis within the province of Canada itself. The basic difficulty was simply that of governing the province.

A majority in Canada West, the Reform party especially, had long seriously doubted that it was possible to continue the Canadian constitution. By June 1864 matters had reached such a pass—with defeats of two entirely different ministries in three months—that even in Canada East, dominated by the Conservative party, there was a disposition to recognize that the time had come to make a change. George Brown's bold offer to form a coalition government to effect these changes was accepted by the Conservatives. The proposal was to relegate Canadian regional differences to the care of two separate provinces (later to be called Ontario and Quebec) and across them to form a broad British North American federal union by including all four Atlantic provinces, Nova Scotia, New Brunswick, Prince Edward Island and Newfoundland. This coalition of parties and its programme revolutionized politics in Canada; it also put energy into the hitherto lifeless project for a Maritime union conference.

Governor MacDonnell of Nova Scotia now saw his advantage, and he pressed for decisions from the New Brunswick and Prince Edward Island governments, and from his own, for determining a place and time of meeting. Within a month of the formation of the Canadian coalition, Charlottetown on September 1 had been decided as the place and date for the opening of the conference, and two or three weeks after this decision delegates were being appointed by the three Maritime governments. Maritime union, which had had such a lacklustre response in the newspapers in the three provinces, was now discussed with more vivacity, usually juxtaposed with Confederation. The Canadian proposals were clearly having a decided effect.

Canada was not, however, in very good odour in the Maritimes. Canadian affairs were not well known, but what was known was not usually to Canadian credit. It was true that Canada had rallied to the support of Newfoundland in 1857 in the quarrel with Great Britain over the French Shore Convention, and the Newfoundlanders had not forgotten that; but Canada had had a turbulent history: rebellions in 1837, her House of Assembly burnt in 1849 (and by

Tories at that), and her public life punctuated with Grand Trunk scandals and unedifying quarrels between religious and racial groups. The abandonment of the Intercolonial railway negotiations in 1863 was only the latest episode in a rather unsavoury catalogue.

Two things were to mitigate this lamentable reputation. One was the Intercolonial survey, already mentioned, begun at Canadian expense; the second was one of those strokes of luck that Confederation was favoured with: a singularly successful visit of one hundred Canadians to New Brunswick and Nova Scotia in August 1864.

This visit was engineered by Sandford Fleming, D'Arcy McGee and the Saint John Board of Trade. It had been planned before the June crisis in Canada, at which time its purpose had been primarily social; but by the pressure of events, it now became distinctly political as well. Canadians and Maritimers hardly knew one another. Beyond the brief acquaintance that Howe, Tupper, Tilley and a few others had had with Canadians at various Intercolonial railway conferences, few Maritimers even knew what a Canadian looked like. And Canadian ignorance of the Maritimes was proverbial. When the visit was first proposed Canadians seemed a little hesitant; but when Confederation was proposed by the Canadian government a positive enthusiasm developed in Canada for the visit. Some hundred Canadians finally came: about twenty-three newspaper editors and correspondents, eighteen members of the Canadian Legislative Council, thirty-two from the Assembly and a substantial group of other gentlemen. They arrived first at Saint John on the steamer from Portland, Maine, on Friday, August 5, at eight in the evening. They were greeted at the wharf in Saint John—to their astonishment—by a huge crowd of about 10,000 people.

A fearsome round of entertainment followed. Saturday night, August 6, the Saint John Board of Trade gave an official dinner for the Canadians, the menu of which staggers the imagination of lesser mortals of the twentieth century: a monumental progress through twelve full courses. It was perhaps fortunate that the programme allowed a rest on Sunday! Monday the Canadians set off up the Saint John river by steamer. That day was a beautiful one, the heat softened by a summer breeze, and the river magnificent with its sumptuous meadows and luminous hills. A military band on board the steamer played airs, and the French Canadians, some quarter of the Canadian party, sang paddling songs in their inimitable style, swinging imaginary paddles on either side of invisible

canoes. So infectious was French-Canadian *élan*—which English Canadians enjoy but fail to emulate—that the New Brunswickers and Nova Scotians seemed to have the impression that French was a language nearly universal in Canada. On their way to Halifax by train from Windsor, Nova Scotia, the delegates were greeted at Half-Way House by a bunting that read, “Vive les Canadiens!”

In Halifax, as in New Brunswick, the visitors were blessed with sublime weather and this auspicious sign seemed to enhance the spirit of the parties and excursions. The best party was at the site of Queen Victoria's father's house on Bedford Basin, where both McGee of Canada and Howe of Nova Scotia joined in the festivities with a warmth as yet untrammelled by political complications, and where sport and speeches, made free with wine, were deftly mingled on a superb August afternoon. It was glorious fun, and the Canadian speeches, filled with union sentiment, made a decided impression. How great was evidenced in the sober comment of the Lieutenant-Governor of Nova Scotia in a despatch to England on August 18, as the Canadians were returning home. Her Majesty's Government, he warned, must now expect that Confederation will be “more extensively supported than was at all probable six months ago”.

II

Now a second Canadian argosy began. On Monday, August 29, early in the evening, the Canadian government steamer *Queen Victoria* sailed from Quebec for Charlottetown. Two-thirds of the Canadian cabinet were aboard, carrying with them far-reaching proposals for Confederation. For weeks they had been preparing their scheme of union. It had been vastly exciting, this work; and though there were difficulties, these seemed to be more personal than constitutional. Macdonald had been crotchety at times; for the cabinet meeting on Saturday, August 28, he had arrived half drunk and, what with more ale after he arrived, was cantankerous; and the meeting had broken up in a quarrel between him and Brown over contracts for the new Parliament buildings for the province of Canada that were going up at Ottawa. But the main thing, the fabric of a British North American constitution, had been started. The warp was now tied down to the loom, and the pattern set down for the weavers to follow.

The weather held fine; the hills on the north side of the St. Lawrence slid steadily down toward the horizon; the little villages on the south shore wound past, a ribbon of white houses decked with sunshine. The Canadians reclined under a broad awning, and amused themselves with talk, books and backgammon. By Wednesday morning, August 31, the *Queen Victoria* had reached Gaspé. Brown's account of the next stage of the voyage is too good to be served up in anything but his own style:

From Gaspé our course was direct to Charlottetown, the little capital of little Prince Edward Island. I was up at four in the morning!—Thursday morning [September 1]—to see the sun rise and have a salt water bath. We had just reached the westerly point of Prince Edward and were running along the coast of as pretty a country as you ever put your eye upon . . . About noon we came to an inlet which we entered, and running up for some miles what appeared to be a river but was in fact but an inlet of the sea [Hillsborough Bay], amid most beautiful scenery, we came suddenly on the Capital City of the Island. Our steamer dropped anchor magnificently in the stream and its man-of-war cut evidently inspired the natives with huge respect for their big brothers from Canada. I flatter myself we did that well.

Charlottetown in 1864 was a pleasant little place of about 7000 people. The town lay on a slight elevation from the harbour, its business section a little drab in the heat of late August. Its streets, dusty and red with the colour of the Island soil, seemed to run straight down to the water's edge "like the red lines of a ledger", as a Saint John writer put it. Just outside of town, beside the bay, was Government House, the attractive residence of the Lieutenant-Governor, set in a grove of fir, as were some of the more imposing houses like those of J. H. Gray or W. H. Pope. Further still, neat little white cottages amid green fields of waving grain formed, with the red soil of the shore, a "pretty setting for the opal waters of the bay".

Charlottetown had twenty hotels, but they were all rather small, holding about a dozen guests each, and what with boatloads of visitors pouring into town (200 on one boat alone) for Slaymaker's and Nichol's Olympic Circus, space was at a premium.

The Nova Scotian delegates had arrived on the boat from Pictou, early in the evening of Wednesday, August 31. But the boat was late owing to the press of travel, and no recognizable mem-

ber of the Prince Edward Island government was at the dock to greet them. According to the Charlottetown *Examiner*, the Nova Scotians were obliged "to find out by rule of thumb where they could find something to eat and a bed to lie upon". The *Vindicator* reported a rumour that a friendly oyster bar had received some of them. As for the New Brunswickers, who arrived at eleven p.m. that same night, the *Examiner* remarked that "neglect and indifference were measured out to them. . .with beautiful impartiality." But the opposition papers were exaggerating a little. The Provincial Secretary of Prince Edward Island, W. H. Pope, had managed to escort the New Brunswickers to their lodging at the Mansion House, and he said later that he had discovered the Nova Scotians and sent them to their quarters at the Pavilion Hotel. As for the other members of the Prince Edward Island government, it was unkindly suggested, again by the opposition press, that they could not be decently deprived of their opportunity to see the circus. In fact the initial reception of the Charlottetown Conference delegates got a thorough airing in the Charlottetown papers for the next two weeks, and in the usual Island style which was "no holds barred".

It was the next day, Thursday, September 1, that the Canadians arrived. This time the Island government was busy with preparations for the conference about to open and Pope was deputed once more to go down to the harbour. The captain of the *Queen Victoria*, not knowing the harbour, chose sensibly enough to anchor; so to go to the *Queen Victoria* Pope procured the first available transport, which happened to be an unprepossessing oyster boat, with a barrel of flour in one end and two jars of molasses in the other, with a lusty fisherman providing the propulsion. Pope duly made himself known on board the *Queen Victoria*, wherewith the Canadians went ashore, and with some *éclat*:

Having dressed ourselves [writes Brown] in the correct style, our two boats were lowered man-of-war fashion—and being each duly manned with four oarsmen and a boatswain, dressed in blue uniform, hats, belts, etc., in regular style, we pulled away for shore and landed like Mr. Christopher Columbus who had the precedence of us in taking possession of portions of the American continent.

The Charlottetown Conference was officially to discuss Maritime union, so the Canadians were there unofficially. The con-

ference therefore convened without them. At two p.m. on Thursday, September 1, the fifteen delegates from the three Maritime provinces gathered in the high, cool room—the Legislative Council chamber—in the graceful Georgian Province House. What was actually said about Maritime union is not known; it is known that the Prince Edward Island delegates, with the exception of W. H. Pope, were generally opposed to Maritime union, and this probably decided the issue for the time being. Let Canada be heard first; Maritime union could be talked about later. This clearing of the agenda for the Canadians and Confederation, as Professor D. G. Creighton has put it*, was an unexpected windfall. Apparently within an hour the Canadians were formally invited in, and having gone through “the shake elbow and the how de do and the fine weather” the conference adjourned to meet on the morrow, Friday, September 2, at ten a.m. That evening the Lieutenant-Governor of Prince Edward Island, George Dundas, gave the first formal dinner of the conference to as many of the twenty-three delegates as he could conveniently receive. Lieutenant-Governor Arthur Gordon of New Brunswick was probably present as well, for he was vitally interested in Maritime union and had come to Charlottetown with the New Brunswick delegation for the very purpose of being on hand. One can surmise he was rather annoyed with the Canadians for undermining, as it now appeared, his pet project, and he went back to Fredericton almost at once. His annoyance was to reappear in the months to come.

It was the next morning at ten that Canada opened up with her heavy artillery. The order the Canadians spoke in is not certain; Brown’s account disagrees with newspaper reports, but one is inclined to follow the account of one who was there. It is not without interest that the same order that Brown describes as being followed at Charlottetown was also followed in the Confederation debates in Canada early in 1865.

Macdonald and Cartier began by setting out the general arguments in favour of Confederation, with a broad outline of the Canadian proposals. There was speculation about these proposals in the Charlottetown papers, and some complaint about the secrecy with which they were shrouded. But in truth secrecy was indispensable. Though some members of the conference had been in

*D. G. Creighton, *John A. Macdonald: The Young Politician* (Toronto, 1952), 365.

favour of making the proceedings "open court", this was overruled. The business was conducted in an informal, conversational way, with apparently no resolutions and no minutes. As the reporter for the *Saint John Morning Telegraph* remarked, "buncombe speeches will be out of place, and politicians will for once deal with naked facts. This will facilitate matters greatly. . . ." No one knows what Macdonald or Cartier actually said, but it can be surmised from what is known about the conference proceedings. The plan of Confederation had been brought to Charlottetown well thought out. Macdonald stressed the broad grant of power to be given to the central government together with some specific illustrations of that power. Also clear was his determination to avoid what he believed were the weaknesses of the United States. Cartier elucidated the same problem with emphasis on the need of French Canadians for their own institutions and civil law.

It was Macdonald or Cartier who outlined the proposals for the future Senate. The Senate—or Legislative Council as it was then called—was considered by many to be the main federal institution of the whole system, and much was believed to depend upon its structure. It was put forward at Charlottetown—and agreed to—that representation in the Senate should consist of twenty members from Canada West, twenty from Canada East, and twenty from the three Maritime provinces. This was straightforward enough. The arrangement did not however include Newfoundland, and Newfoundland's appearance at the Quebec Conference was to upset this neat system. Apparently no decision was made at Charlottetown about the selection of members to the Senate, whether by appointment or election. Conservatives preferred appointment, Liberals election, but, as for example with Brown, the issue crossed party lines. It was left to the Quebec Conference to negotiate this difficulty.

Neither Macdonald nor Cartier dealt much with details. Financial details were left to Galt for the next day, Saturday, and constitutional details for Brown on Monday. What Macdonald and Cartier did was to urge the arguments for British North American union with all the power at their command. To call up national aspirations, to extend the dimensions of provincial minds by glittering phrases and noble oratory was not perhaps within the power of these two practical, empirically-minded politicians; they relied on

good fellowship and on alcohol to effect such translations. What they were concerned with was to show that such a union was practicable, that it could be realized by the twenty-three gentlemen presently seated around the table in Province House, Charlottetown. If the delegates could be convinced of the practicability of Confederation, the idea was magnetic enough—provided the conference parties went off well—to take hold by itself.

That afternoon, when the session was over, they all went to W. H. Pope's house for a grand buffet luncheon—*à la fourchette* as it was then called—oysters, lobsters and other Island delicacies, all well lubricated with champagne. That evening was a beautiful moonlit one; some delegates went walking or driving, some Canadians who lived on the *Queen Victoria* went boating; George Brown, who was staying at Pope's house, spent it on Pope's balcony, "looking out on the sea in all its glory".

Saturday, September 3, was Galt's day. Here was what to many delegates was the crux of the question: how were the great financial disparities between the different provinces of the Confederation to be resolved? Galt proposed, first, that the existing debts of the several provinces be assumed by the central government. Whether the debt allowance principle was yet devised is not certain, but it seems probable that it was. Obviously some method had to be found of equalizing the different amounts of debt of the five provinces. Second, it was clear that the new central government would assume the greater part of the revenue presently available to the provinces. Some special provision would therefore have to be made for the revenue of the future provincial governments. Customs duties supplied eighty per cent of the existing revenue of the three Maritime provinces. This removed, as it would be by Confederation, it was obvious that, however diminished future provincial responsibilities might be, additional revenue would be required. Direct taxation was recognized to be virtually impossible: in other words, a subsidy would be needed. Almost certainly this was considered at Charlottetown. How much, whether eighty cents per capita, is not known, but again it is probable that some tentative figure had been arrived at.

There were also a number of particular items discussed. Should, for example, Prince Edward Island be given a capital grant of some £200,000 Sterling to enable her to buy out the absentee

landlords? The land question was a vital one in Prince Edward Island—as the Tenant League riots in 1865 were to show—and there is evidence that the conference was willing to consider dealing with it. One of the Prince Edward Island delegates, George Coles, said that not only had it been agreed to in the conference, but that in private conversation Cartier and Brown had admitted the justice of the Prince Edward Island case. This proposal was “the talk of the town” when it got out in the Charlottetown papers two weeks later, and its omission from the Quebec Resolutions helped to determine Prince Edward Island’s resistance to Confederation later in the year.

Galt’s economy of speech, the neatness of his solutions, his persuasive mastery of his figures, were very impressive. No finance minister in the Maritimes could match his wizardry, not even Leonard Tilley of New Brunswick, who had risen to power on the strength of his financial acumen. And one suspects it was Galt who clinched the real practicability of Confederation in the minds of the delegates. So by the weekend of September 3 it seemed, to the correspondent of the *Saint John Morning Telegraph* at least, that the new “Confederate” cruiser in the harbour, the *Queen Victoria*, promised

fairly to outrival the *Alabama* or the *Tallahassee* in the number and value of her conquests. New Brunswick, Nova Scotia, and Prince Edward Island have all been within range of her big guns since Friday morning last, and great it is said has been the effect. Indeed her ordnance is of a superior kind, and embraces such well known pieces of artillery as the Cartier, the Brown, the Macdonald and the Galt . . . I am told that two of the Provinces, at least, are about entering into bonds, whilst the third is on the eve of lowering her flag . . . I am told that the speeches have been able and powerful and the arguments almost irresistible. Furthermore, it is the case that our own delegates are still more favourable to [British North American] union than they were, and as they consult and converse with the Canadians, the difficulties in the matter of detail vanish.

And it was to the *Queen Victoria*, appropriately enough, that the Charlottetown Conference adjourned for lunch on Saturday after Galt’s speech. The Canadians had a strong belief then, and at Quebec, in the efficaciousness of good food and plenty of wine to make a party—or a conference—go. The *Queen Victoria* had come down with cases of champagne in her hold, and there was no stint in their use. At four lunch began. The conference work was

over for the week-end; things had gone superbly well and the luncheon rapidly developed a good deal of abandon. Champagne flowed like water, and union talk with it. The occasion took hold of everyone. Champagne and union! Cartier and Brown got to their feet and expanded the idea of a new nation to its grandest dimensions, and such was the warmth of the cause that someone rose and published, there and then, the banns of marriage between the colonies. Was it conceivable that a great British North American confederation was now actually within reach? Some began to believe it, and act as they believed. Here was a metamorphosis indeed: this transformation of the dross of reality into the gold of personal conviction. Perhaps the most remarkable achievement of the whole conference was the conversion of a significant proportion of the Maritime delegates to the cause of Confederation. For the sake of Confederation not a few would, before six months were past, put at stake their political careers, in some cases even their personal reputations.

On Monday the conference heard George Brown on the constitutional details. The division of powers between the central government and the local governments had obviously been well thought out even before the conference began. There was no doubt either that the French-Canadian delegates, Cartier and Langevin, were ready to give as much power to the local legislatures as possible; but the other Canadian delegates, and apparently a majority of Maritime ones, wanted to reduce the powers of the local legislatures still further. The reports in the newspapers reveal how far the Charlottetown Conference had gone in determining this question, even to consideration of the detailed powers to be given to the federal government. The *Halifax Morning Chronicle*, whose editor, Jonathan McCully, was a delegate, reported on September 10 a list of the division of powers that accurately anticipates that finally established at Quebec. In other papers there were hints of central government guarantees for the religious and educational privileges of minorities.

Brown also discussed the constitution of the judiciary. It was proposed by the Canadians that all judges from the Superior Court level upward would be appointed and paid by the central government. The discussion on this point was animated, for it became apparent that some of the more venal of the delegates took exception to

being deprived of judicial plums now within their reach in provincial judiciaries. Two of the New Brunswick delegates, however, Tilley and Chandler, argued strongly for the adoption of the Canadian proposals.

On Tuesday, September 6, the conference discussed details. The Canadians answered questions and, after brief though strenuous speeches by Langevin, McGee and McDougall, closed their case that day. On Wednesday the conference excluded the Canadians and once more turned to its belated discussion of Maritime union. But Maritime union had not a chance. The Prince Edward Islanders were still dead against it; only if the capital were to be in Charlottetown might they change their minds! In the streets of Charlottetown, one reporter noted, when some of the Island delegation were walking along, people said, "There go the men who would sell their country." No, the Islanders would not part with their cherished legislature. Only a federal union was acceptable to them. So the Maritime delegates gave the Canadians their answer: they were unanimous in believing Confederation highly desirable, if the terms could be made satisfactory to all. And they were prepared to give further consideration to the question of terms. That having been done, the Charlottetown Conference was adjourned until Monday, September 12, when it was to meet, at the invitation of the Nova Scotians, at Province House, Halifax.

Thursday, September 8, was a holiday. Excursions were made into the country and to the north side of the Island for the warm sea bathing fourteen miles distant at Brackley Beach. That evening came the grand ball given by the people of Prince Edward Island at Province House. The building was taken over: the Legislative Council chamber—where the Conference had met—was made into a reception room; the library was a bar and refreshment room, while the Assembly was now a dancing floor, the walls decorated with flags and mirrors, and its usual purposes well concealed. Two bands provided the music; the dancing started at ten and festivities continued till one a.m., when supper was announced. After supper, in Brown's words, "the Goths commenced speech-making and actually kept it up for 2 hours and three-quarters, the poor girls being condemned to listen to it all!"

So it was nearly five o'clock in the morning, on Friday, September 9, when the Canadians, Nova Scotians, New Brunswickers

and Islanders (for the Charlottetown Conference was to continue) went down to a foggy harbour and crowded aboard the *Queen Victoria* for the journey across to Nova Scotia. The fog, so the ubiquitous reporter for the Saint John *Morning Telegraph* observed, was entirely in keeping with the generally befogged condition of the delegates after the rigours of the Ball.

The *Queen Victoria* reached Pictou about noon that day. Most of the delegates travelled after that by land, by carriage to Truro, then by the Nova Scotian government railway the sixty miles to Halifax, stopping at the Waverly gold mines on the way. Galt's eyes were jocularly supposed to have glistened at the prospect! Langevin, Macdonald and McGee stayed aboard the *Queen Victoria*, however, as she made her way around from Pictou to Halifax via the Gut of Canso between Cape Breton and the mainland of Nova Scotia. She was in Halifax harbour blowing off steam when the rest of the delegates arrived by train.

The conference convened briefly in the red chamber of the Legislative Council in Province House that Saturday. On Monday, September 12, the Maritime delegates met by themselves once more. Could they finally resolve the issue of Maritime union? Some delegates wondered—not without cause—what the public would think of their action in abandoning (as it now appeared) their original purpose. It was soon apparent that even with this spur the Maritime delegates could not agree. After an hour's meeting the Canadians were invited in again. It was at this point that the Quebec Conference was agreed upon, to meet at Quebec on October 10 to work out the final details of Confederation.

It was a foretaste of what was to come at Quebec that on that day the fine weather broke at last and rain fell in torrents. While thunder rolled overhead a great public dinner was in progress at the Halifax Hotel. John A. Macdonald seemed to catch the spirit of the occasion. "Everyone admits," he said, "that Union must take place sometime. I say now is the time." Two days later, Wednesday, September 14, when the Charlottetown Conference had arrived in Saint John, McGee emphasized this point. "If we do not avail ourselves of the present opportunity of forming a Union with our fellow colonists we would never have another."

On Thursday, September 15, the conference set off to Fredericton by steamer. Cartier, Galt and Brown stayed with Lieutenant-

Governor Arthur Gordon, who plied them with questions about the conference and who reported it all, with elaborate criticisms, to Edward Cardwell at the Colonial Office. The delegates were back in Saint John the following evening, and it was there, on Friday, September 16, that they finally separated.* Some Canadians went home via Portland, Maine; most took a special train to Shediac where the *Queen Victoria* was waiting. Three days later she arrived at Quebec. The Canadian cabinet ministers had been gone just three weeks.

III

It was not going to be easy to persuade Maritimers that this Canadian *coup de théâtre* was justified. It was undeniable that the Maritime delegates had only been authorized by their legislatures to discuss Maritime union. The Saint John *Morning Telegraph* on September 16, 1864, was severe:

We cannot but express our indignation at the pusillanimous conduct of the Lower Province delegates. They were sent to Charlottetown . . . to discuss the question of a Union of their own Provinces. Under the blandishments of Canadian politicians (who *invited themselves* to the Conference!) they placed the Union of the Lower Provinces entirely in the background. . . . They come back, of course, without having considered the subject which their Legislatures gave them for discussion, and admit themselves so overpowered by the "Canadian view" that they can think of nothing else. Such prostitution of intellect has seldom been equalled.

In Prince Edward Island and Nova Scotia there had been Confederation resolutions in years past and these no doubt supplied some authority; but in New Brunswick there seemed to be nothing that warranted the delegates' doing what they had done. But the Confederationists had an ace up their sleeve: it was a despatch from the high authority of the Colonial Secretary, authorizing the North American colonies to discuss Confederation. True, the despatch was from the Duke of Newcastle and two years old—July 6, 1862—but it supplied a much-needed justification for the action of the New Brunswick delegates. It is fair to say that the opposition in

*The Charlottetown Conference was formally adjourned *sine die* on Nov. 3, 1864, in Toronto, a week after the end of the Quebec Conference.

all three provinces was by no means prepared to accept such excuses; but clearly some authority was better than none.

Some of this opposition arose from people who had not been at Charlottetown, and who had not undergone the heady discovery of a national destiny for British North America. From New Brunswick two important members of the opposition were missing, Timothy Anglin and A. J. Smith. They were passed over because they did not support Maritime union. Missing from the Nova Scotian delegation was Joseph Howe, who had often talked about a union of British North America. Tupper had wanted to include Howe and officially invited him. Howe was willing to go; but he was now an officer of the Imperial government, the Fisheries Commissioner pursuant to the Reciprocity Treaty between British North America and the United States. Howe wrote the British Foreign Secretary, Lord Russell, for permission to attend the Charlottetown Conference, but a reply from Russell was not forthcoming in time, and Howe felt obliged to decline Tupper's invitation. (As it turned out, Russell was against Howe's going.) So while the delegates were gathering at Charlottetown, Howe, a leading proponent of British North American union, was off on his duties as Fisheries Commissioner, actually on his way from St. John's, Newfoundland, up to the Labrador coast in the 700-ton H. M. S. *Lily*. The consequences of Howe's absence from both the Charlottetown and Quebec conferences are difficult to estimate. Edward Whelan, editor of the Charlottetown *Examiner*, and G. E. Fenety, editor of the Saint John *Morning News*, both of whom knew Howe, said that he would have supported Confederation if he had been at Charlottetown and Quebec. But this is at best doubtful; Howe had been growing away from his earlier ideas of a British North American union and was now thinking more in Imperial terms.

Nor was there at Charlottetown a representative from Newfoundland. Maritime union had not envisaged the inclusion of Newfoundland. There was good reason why not. The real centre of Newfoundland was the Avalon peninsula, at the extreme south-east corner of the province, over 300 miles from the Gulf of St. Lawrence, at the furthest possible remove from the mainland of British North America. Newfoundland faced east, not west. And she was not invited to the Charlottetown Conference. As it happened, the Premier of Newfoundland, Hugh Hoyles, had been in Halifax in mid-August, and he had talked to Charles Tupper about

Newfoundland's position. Tupper would probably have been willing to propose the attendance of Newfoundlanders at the conference unofficially, like the Canadians; but it was late for an invitation and a little inconvenient, for Newfoundland was in the process of changing governors. But Newfoundland was not neglected. Within a week of the return of the Canadians to Quebec an invitation went off to St. John's asking for representatives at the Quebec Conference. The invitation was accepted.

Besides omissions among the delegates at the conference table at Charlottetown there were also omissions from the constitution for British North America. No mention is made in any of the reports from Charlottetown of the power of disallowance, or of the power of the central government to appoint the future lieutenant-governors. Almost certainly these were additions made at Quebec, and are explained by a combination of circumstances. Pressure from the lieutenant-governors was one reason. Gordon, for example, thought central appointment of provincial lieutenant-governors indispensable. More influential, perhaps, was the apparent acceptance of the Charlottetown proposals by the French Canadians. On September 26, a résumé of the Charlottetown conclusions was published in leading Canadian ministerial newspapers including the *Quebec Courrier du Canada*. The French-Canadian reaction—or lack of it—may have persuaded Macdonald and other centralists at the Quebec Conference to press their views further and Cartier and the French ministers to acquiesce. And with American relations growing more strained as the autumn drew on, a strong central government seemed increasingly desirable.

Most of all, what was missing from the Charlottetown Conference was any effective progress toward Maritime union. It is clear that it reached the conference table by a strength not its own. It had never developed sufficient force to overcome the resistance of the men and the institutions it would abolish. By contrast, the federal union proposed by the Canadians guaranteed the continued existence of the provinces, even though in an attenuated form. Moreover, Confederation promised something that Maritime union could not: a transcontinental nation. It was true that this proposal had come from Canada, and things Canadian often had something *sub rosa* about them; but national glory was surely something about which even Canadians could be genuine. The idea of a British North American nation might be unrealistic, but it called up in the minds

of the young, the energetic and the talented hopes and ambitions hitherto only dreamed of.

The Charlottetown Conference was only a preliminary to the greater exertions of the Quebec Conference: but the Quebec Conference was also the conclusion to the important beginning made at Charlottetown. The Charlottetown Conference agreed upon the main principles of Confederation: the Quebec Conference was to fasten down details. The Charlottetown Conference gave Confederation in the Maritimes something of the impetus it already had in Canada; more important, it gave the delegates themselves a sense of a common destiny, a devotion to a cause greater than their old local loyalties; indeed, it swept some delegates out of their insular identities altogether.

Maritimers had often resented Canadians before, and would again; but the vision of a future that would end what Howe that very summer called their insignificance, the comprehensiveness of the means the Canadians proposed, the vital energy they possessed, swept the Charlottetown Conference like a flame. The conference was a Canadian triumph; it had been more than Canadians had dared hope; but it was also the dawn of a national identity, the beginning, as the Fredericton *Head Quarters* prophesied, "of a great change in the fortunes of the British North American Provinces".

Delegates to the Charlottetown Conference

New Brunswick

- CHANDLER, Edward Barron (1800-1880), since 1836 member of the Legislative Council; represented the Conservative opposition in 1864, was also at the Quebec and London Conferences.
- GRAY, John Hamilton (1814-1889), since 1850 member for Saint John County in the Assembly; Conservative; was also at the Quebec Conference.
- JOHNSON, John Mercer (1818-1868), since 1850 member for Northumberland County in the Assembly; Attorney-General in the Tilley government; was also at the Quebec and London Conferences.
- STEEVES, William Henry (1814-1873), since 1851 member of the Legislative Council; Minister without portfolio in the Tilley government; was also at the Quebec Conference.
- TILLEY, Samuel Leonard (1818-1896), since 1857 member for Saint John City in the Assembly; Premier and Financial Secretary since 1861; was also at the Quebec and London Conferences.

Nova Scotia

- ARCHIBALD, Adams George (1814-1892), since 1851 member for Colchester County in the Assembly; since 1863 leader of the Liberal opposition; was also at the Quebec and London Conferences.
- DICKEY, Robert Barry (1811-1903), since 1858 member of the Legislative Council; Conservative; was also at the Quebec Conference.
- HENRY, William Alexander (1816-1888), since 1841 member for Antigonish County; since 1863 Attorney-General in the Conservative government; was also at the Quebec and London Conferences.
- MCCULLY, Jonathan (1809-1877), since 1847 member of the Legislative Council; Liberal; since 1857 editor of the *Halifax Morning Chronicle*; was also at the Quebec and London Conferences.

TUPPER, Charles (1821-1915), since 1855 member for Cumberland County; since 1863 Provincial Secretary and since February 1864 Premier; was also at the Quebec and London Conferences.

Prince Edward Island

COLES, George (1810-1875), since 1842 member for First District of Queens County; leader of the Liberal opposition in the Assembly; was also at the Quebec Conference.

GRAY, John Hamilton (1812-1887), since 1858 member for Fourth District of Queens; since 1863 Premier of the Conservative government; Chairman of the Charlottetown Conference; was also a delegate to the Quebec Conference.

MACDONALD, Andrew Archibald (1829-1912), member of Assembly, 1853-1858, and since 1863 member of the Legislative Council; leader of the Liberal opposition in the Legislative Council; was also at the Quebec Conference, and his notes of that Conference were published in the *Canadian Historical Review*, Vol. I (1920).

PALMER, Edward (1809-1889), member of Assembly, 1835-1860, and since 1860 member of the Legislative Council, and leader of the Conservatives there; Premier from 1859 to 1863; then Attorney-General; was also at the Quebec Conference.

POPE, William Henry (1825-1879), since 1863 member for Belfast; Provincial Secretary since 1859; Conservative; owner of the Charlottetown *Islander*; was also at the Quebec Conference.

Canada

BROWN, George (1818-1880), since 1863 member for South Oxford in the Assembly; leader of the Reform party of Canada West; owner of the Toronto *Globe*; became President of the Council on formation of coalition of June 1864 under the premiership of Sir Etienne Taché; was also at the Quebec Conference.

CAMPBELL, Alexander (1822-1892), since 1858 member for Cataraqui Division in the Legislative Council; in 1864 made Commissioner of Crown Lands; Conservative; was also at the Quebec Conference.

CARTIER, George Etienne (1814-1873), since 1861 member for Montreal East in the Assembly; Attorney-General of Canada East, 1856-1862, and again in 1864; also at the Quebec and London Conferences.

GALT, Alexander Tilloch (1817-1893), since 1853 member for Sherbrooke in the Assembly; Minister of Finance, 1858-1862, and again in 1864; was also at the Quebec and London Conferences.

LANGEVIN, Hector Louis (1826-1906), since 1857 member for Dorchester in the Assembly; 1864 Solicitor-General; was at the Quebec and London Conferences.

MACDONALD, John Alexander (1815-1891), since 1844 member for Kingston in the Assembly; Attorney-General of Canada West, 1854-1862, and again in 1864; was also at the Quebec and London Conferences.

MCDUGALL, William (1822-1905), 1858-1863, member for North Oxford in the Assembly, and in 1864 member for North Lanark; Reformer; became Provincial Secretary in the coalition government of 1864; was also at the Quebec and London Conferences.

MCGEE, Thomas D'Arcy (1825-1868), since 1858 member for Montreal West in the Assembly; at first a Reformer, becoming a Conservative in 1864, and joining the Cabinet as Minister of Agriculture; was also at the Quebec Conference.

Bibliographical Note

First-hand accounts of the Charlottetown Conference were virtually non-existent until the recent discovery of the George Brown papers. Brown's account is contained in a letter to his wife, Anne, written from Halifax on September 13, 1864. The letter was published in the May 1962 issue of the *Atlantic Advocate*; much of it is paraphrased or quoted in J. M. S. Careless' account of the conference in his *Brown of the Globe: Statesman of Confederation, 1860-80* (Toronto, 1963). J. H. Gray's account, *Confederation* (Toronto, 1872), is disappointing. Reports of the Charlottetown Conference were published in the newspapers of the time, some of them inspired by delegates themselves; these are collated in P. B. Waite's *The Life and Times of Confederation, 1864-1867* (Toronto, 1962). Edward Whalen published the speeches of the delegates at various public occasions in his *Union of the Provinces* (1865), which is also available in a modern edition edited by D. C. Harvey (Gardenvale, 1927).

A comprehensive treatment of the background to the Charlottetown Conference, and good for the conference itself, is W. M. Whitelaw's *The Maritimes and Canada before Confederation* (Toronto, 1934). Later research has shown how solid this work is. D. G. Creighton has given the setting of the conference and Macdonald's role in it in his *John A. Macdonald: The Young Politician* (Toronto, 1952). Two articles are worth noting on the subject of Maritime attitudes: D. C. Harvey's "Confederation in Prince Edward Island" (*CHR*, 1933), and J. P. Heisler's "Attitude of the Halifax Press towards Union of the British North American Provinces, 1856-1864" (*Dalhousie Review*, 1950). For British policy see J. A. Gibson's "Colonial Office View of Canadian Federation, 1856-1868" (*CHR*, 1954), his "Duke of Newcastle and British North American Affairs, 1859-64" (*CHR*, 1963) and P. B. Waite's "Edward Cardwell and Confederation" (*CHR*, 1962).

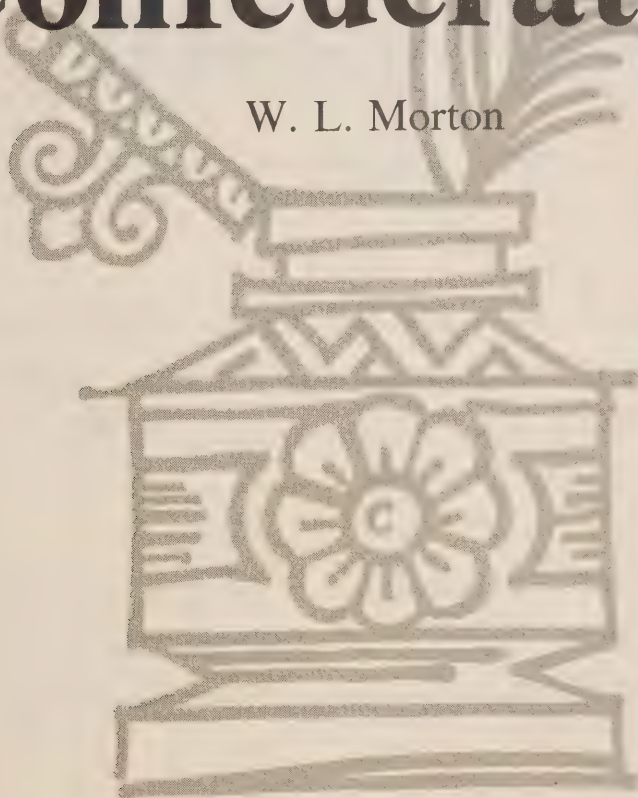
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The West and Confederation

W. L. Morton



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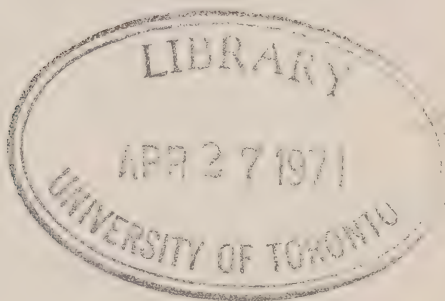


The West and Confederation

W. L. Morton

W. L. MORTON

The author of this booklet, Professor W. L. Morton, is a native of Gladstone, Manitoba, and a graduate of the Universities of Manitoba and Oxford. He has been a member of the Department of History at the University of Manitoba since 1942, and its Chairman since 1950. He is the author of a number of books, including "The Progressive Party in Canada" (1950), "Manitoba : A History" (1957) and "The Canadian Identity" (1961), and is the editor of Alexander Begg's "Red River Journal and Other Papers relative to the Red River Resistance of 1869-70" (Champlain Society, 1956).



THE WEST AND CONFEDERATION, 1857-1871

THE WEST IN 1857

In 1857 the present Canadian West was not part of Canada. As territory of the British Crown it was a portion, by far the largest portion, of British North America. It was itself made up of three parts. On the Pacific coast was the Colony of Vancouver Island, created in 1849. The Pacific slope between the 49th parallel and Alaska eastward to the divide of the Rockies, and the Arctic watershed down to the northern coast, was "the Indian Territory". To the east lay the enormous tract known as Rupert's Land. At fullest extent, Rupert's Land extended from the divide of the Rockies across British North America to Hudson Bay and around to the coast of Labrador. The boundaries between Rupert's Land and the Province of Canada had never been authoritatively fixed. The limits of Rupert's Land, wherever they lay, were to be found in the broad terms of the Hudson's Bay Company's Charter of 1670, except as those might have been modified by international treaty or by British statute.

Over all this territory, from the Colony of Vancouver Island to the wastes of Ungava, the governing power was the Hudson's Bay Company. The Company, a relic of the colonial regime of the seventeenth century, was at once a commercial corporation and a colonial government, created by the Crown of England.

The Company traded and governed in Rupert's Land by virtue of the Charter of 1670. However, its authority had been strengthened there, and at the same time extended over the Indian Territory, by Licence granted in 1821 for a term of twenty-one years. The grant was made under the Act passed that year to regulate the fur trade after the union of the North West and Hudson's Bay Companies. In 1838 the Licence was renewed for a further period of twenty-one years, to run until 1859. In 1857, therefore, the question of its renewal was to the fore in the minds of the Company and of the Imperial Government.

NEW FORCES IN THE NORTH WEST

Had the circumstances of 1857 been those of 1838 or 1821, there can be little doubt that the Licence would have been renewed for a further term. Circumstances had altered greatly, however, and were in 1857 rapidly altering still more. The isolation of North West British America was ending; the very concept of that North West as a fur trader's preserve was being challenged and overthrown. And within the territories of the Company changes were proceeding which threatened both its commercial monopoly and its political authority.

The North West was in fact an area on which forces widely scattered in their origin were beginning to converge. A new view of the climate of much of its area had been advanced in 1856, and was being widely publicized. The view was that the summers of the North West were much warmer than was commonly thought. It was expounded in Lorin Blodget's *Climatology of the United States*. Blodget had found much data for his thesis in the reports of the survey parties for a Pacific railway in the United States. Further data were provided by the discovery of the warm Japanese current of the North Pacific, made by the squadron of Commodore Matthew C. Perry returning early in 1854 from the famous "opening" of Japan. In two factors, the effect of the continental land mass on extremes of temperature and the influence of the warm current on the North West coast, Blodget found an explanation for the fact that in summer the North West was warmer than its latitude would suggest and moister than the character of the southern plains of the United States would imply. Information obtained from fur traders' journals and narratives and reports from posts of the Hudson's Bay Company from Red River to the Mackenzie were the basis for his finding, much celebrated in its day, of the northwestward swing in summer of the lines of equal temperature: "... the spring opens," he asserted, "at nearly the same time along the immense line of plains from St. Paul's to Mackenzie's River." Here then was a region which, contrary to accepted belief, was suitable for agricultural settlement and the building of a Pacific railway.

Political circumstances, as well as scientific, were working to bring the North West out of its long obscurity. The first of these was, odd though it may seem, the Crimean War. Alaska had been Russian since the seventeenth century as Rupert's Land had been British. In 1825 the boundary between the Russian and the British claims in the far North West had been defined by treaty. The agreement ended Anglo-Russian difficulties in the Pacific North West, but during the Crimean War a British ship-of-war or two might well have garnered in the Russian empire in America had the effort seemed worth while. It did not, however, and by mutual and tacit agreement the region was in fact neutralized during the conflict.

The war, however, had two effects on Russian policy in the Pacific. One was to reveal the slender thread by which Russia's American possessions hung and so prepare the way for the sale of Alaska to the United States in 1867. Another was to cause a lessening of Russia's activity on its European borders and a forward movement on the Pacific. In 1857 Russia became active in the lower Amur Valley, occupied since 1689, and so began its approach to a warm water port on the Pacific. Thus the emergence of the United States as a Pacific power in 1848 was followed by this ominous stirring of Russia in 1857. As the North Pacific ceased to be a power vacuum, the continental North West must also cease to be a diplomatic void.

Far more pressing, however, than faint echoes of Russian movements on the Amur was the interest of two regions of the United States in the territory north of the international line. One was the territory of Minnesota and its ambitious capital, St. Paul; the other was the Pacific slope where the prospectors were working along the mountain streams eastward and northward. The interest of San Francisco and the American Pacific slope in the North West was entirely novel, and first aroused only with the Fraser gold rush of 1857. But the interest of St. Paul in Red River had been active for some years and was already fed with dreams of regional empire. It had begun with Norman W. Kittson's visit to the Red River Settlement in 1843. An outburst of free trading followed, which grew steadily year by year. The interest of St Paul in the North West grew with any new prospect over the boundary, such as Blodget's *Climatology* painted, with its argument that the northern route was the best for the Pacific railway and its conviction that the North West was suitable for settlement.

The sovereign power in the North West, the United Kingdom, had no such interest. The Hudson's Bay Company had been the sole occasion for British interest in the possession of the North West. From Canada to the Gulf of Georgia the British Government maintained not a single commissioned officer, governmental, judicial, or military.

Yet there was at issue, with American interest in the North West growing, and with Russian power in the Pacific increasing, the balance of power in North America established by the diplomatic events of 1817-1825. The Rush-Bagot agreement of 1817, by neutralizing the Great Lakes, recognized the fact that American military power on the continent was offset by British naval supremacy on the Atlantic coast. The Monroe Doctrine had had the effect of checking Russian expansion on the continent, and the Anglo-Russian treaty of 1825 had in effect balanced the two imperial powers to the advantage of the United States. Now the new continental dimensions of the United States threatened the diplomatic fabric of 1817-1825, except as the potential power of the United States was checked by the internal balance of North and South, of free soil and slave soil. The Imperial Government was therefore bound, as during the Oregon crisis, to deal gently but firmly with the American pressure, in such a way as to maintain the equilibrium of 1817-1825 without provoking a collision with the United States. Britain was thus committed to playing some definite part in changes affecting the North West, at once as the sovereign of the Hudson's Bay Company and also as trustee for the Canadian interest in the North West.

CANADA AND THE NORTH WEST

That interest was definite and of long standing, even if since 1821 it had been dormant. The French regime and the North West Company had left behind them a connection between Canada and the North West which the undefined boundaries of Rupert's Land might allow Canada to erect into a claim to the southern portion of the territory governed by the Hudson's Bay Company. Nor was Canada's lack of interest in the North West since 1821 as great as it seemed, or as it is customarily stated to have been. There were many bonds, none of them insignificant. The Southern Department of the Hudson's Bay Company included much Canadian territory; its posts looked out from the foot of the Laurentian escarpment over the Lakes, the Ottawa valley and the St. Lawrence. They were scattered through much of the territory of the present-day northern Ontario and Quebec. The Company still recruited some French Canadians as *voyageurs*. The headquarters of the Company in America, except for the early summer months, was from 1833 the residence of Governor George Simpson at Lachine. The French colony at Red River and the Roman Catholic missions in the North West furnished another vital connection. And a number of ex-officers and servants of the Company had retired, not to Red River, but to Canada. In them was the seed of a new North West Company.

Even more important than these connections with the North West were certain developments in Canada itself. Canada West, or Upper Canada as it was still called, was at the peak of the great boom of the 1850's. This had been stimulated by California gold, the Reciprocity Treaty, the Crimean War, and the building of the Grand Trunk and other railways. A great inflow of capital and immigrants, coupled with good crops and good markets, had resulted in a feverish exploitation of the forests and soil of western Canada. The Reciprocity Treaty stripped off the white pine stands for the building of American cities, the St. Lawrence canals and the railways pulled the grain and other farm produce to the British and American markets. As a result, there was capital and enterprise; as a result, there was a quest for new timber stands, farm lands, and richer mines. For new land there was not only a quest but a positive need, as the farm lands of Upper Canada had, practically speaking, been occupied. That there was trade to be won and land to be taken up in Red River, was news that would find hearers in Upper Canada.

THE SELECT COMMITTEE OF 1857

Such was the situation of the Canadian West at the beginning of 1857, when the British Colonial Secretary, Henry Labouchère, decided that a Select Committee of the House of Commons should be set up to enquire into the desirability of renewing the Company's jurisdiction.

The Committee began its sittings in February, 1857. Even if there was some disposition in the Government to pre-judge the issue, a very full hearing was held, and much testimony was heard and recorded. Canada, as an interested party and a potential heir of the Company's regime, was invited to make its views known. A major result of the enquiry was an awakening of interest in Canada in the future of the North West.

The Canadian Government, the Taché-Macdonald administration formed in 1856, took up the matter promptly but with caution. The ministry was dependent on Lower Canadian members for its strength and was closely associated with the Grand Trunk Railway. The French of Lower Canada were not, as a group, interested in the North West. Montreal and the Grand Trunk had as their main enterprise the attraction of the trade of the American Middle West. They could not be interested in the remoter, less promising trade of a Canadian West. On the other hand, the government could not ignore the quickly vocal interest of Upper Canada in the Red River valley and the Saskatchewan.

The government also had in its own ranks an eloquent advocate of Canadian expansion. This was Joseph Cauchon, Commissioner of Crown Lands, a Quebec journalist and member of Parliament from Lower Canada, who was to prove himself an ardent protagonist of westward expansion and of the confederation of British North America. But in this particular work he was aided, it may be was inspired, by an official of the Provincial Secretary's department, A. R. Roche, who had made a special study of the North West and of Canada's claims to the region. It seems apparent that it was Roche's ideas which informed a memorandum Cauchon prepared for the cabinet. That document asserted Canada's right to the North West as far as the Pacific, and urged immediate annexation by Canada to give government to Red River, where discontent existed, and to forestall absorption by the United States. "It is of incalculable importance," the memorandum concluded, "that these measures should be most forcibly pressed upon the Imperial Government at the present juncture, for on their solution depends the question whether this country shall ultimately become a Petty State, or one of the Great Powers of the earth; and not only that, but whether or not there shall be a counterpoise favourable to British interests and modelled upon British institutions to counteract the preponderating influence — if not the absolute dominion — to which our great neighbour, the United States, must otherwise attain upon this continent."

The government, whatever its impression of the memorandum, could not let Canada's claims go by default, and could do no less than lay the Canadian claims before the Select Committee, in however moderate and legalistic a manner. But events had already begun which

gave rise to a vigorous public demand in Upper Canada for the annexation of the North West.

In the summer of 1856, a troop of American cavalry appeared on the plains south of the border and warned the Red River *métis* to desist from running buffalo on American territory. It was feared by Governor Sir George Simpson that this heralded the establishment of a military post on the border, which would become a focus of *métis* settlement and of free trade activity below the border which the Hudson's Bay Company would be unable to control. He therefore obtained the despatch of a detachment of the Royal Canadian Rifles to Fort Garry, on the pretext of danger from the American military post, but really as a means of overawing the *métis* and the free traders whom the post would encourage.

He may well have known also that the danger to the Company's trade and government came not only from a free trade stimulated from St. Paul, but also from one begun from Canada. For in the winter of 1856-57, a group of Toronto businessmen, inspired by old Hudson's Bay men, formed the North West Trading and Colonization Company to open communications and trade with the North West. A principal agent in the affair was George Gladman, once a chief trader in the Company and now a hostile critic of it. Gladman was in contact on the one hand with A. R. Roche and on the other with George Brown, editor of *The Globe* and just about to become the mouth-piece of Canadian interests in the North West. These men in January, 1857, sent William Kennedy to Red River as their agent. Kennedy, a North West half-breed, had connections in Red River and was sent to make arrangements for trade and to inspire a demand for union with Canada. Simpson knew of his departure and it was no doubt to contain the trouble Kennedy might cause as much as that an American military post might inspire that he had sought the despatch of a detachment of troops to Fort Garry.

The Canadian government had no reason to be ignorant of the interest in the North West which the above events were arousing. In the session of the Canadian Legislature begun in the new year George Brown obtained the appointment of a committee to investigate the Canadian claims to the region and to report on the desirability of Canada seeking to obtain possession of the West.

CANADA BEFORE THE COMMITTEE

When therefore the government accepted the Colonial Secretary's invitation to be represented before the proposed Select Committee in London, it had cause to see that the opportunity was not missed and that a strong case was made. But it did not share the hostility to the Hudson's Bay Company and the strident enthusiasm for westward expansion which were being worked up in Upper Canada. Its attitude

was perhaps reflected in the balanced appointments of Chief Justice William Draper as Canadian representative, and of A. R. Roche as his assistant. Draper naturally took a cautious and lawyer-like approach to a problem which bristled with legal difficulties, while Roche held sweeping views on the resources of the North West and the nature of Canada's claims.

Canada's official claim, as stated by Draper, was in effect a request that the boundaries be determined. He had previously informed Labouchere privately that in his considered opinion this would result in all the southern territory being surrendered to Canada. As this was not clear from his testimony, he and the government were at once assailed by *The Globe* for failing to claim the whole territory on the ground that the Charter was invalid and for being indifferent, if not actually hostile, to westward expansion.

But Canada had made an indirect claim to the North West and much of the evidence given before the Committee was unfavourable to the continuation of the Company's privileges and power. In consequence, the Committee could not simply recommend a renewal of the Licence and sought a compromise. One was found in recommending that Vancouver Island be no longer a colony of the Company, and that a colonial government be erected on the mainland west of the Rockies. East of the Rockies an arrangement should be sought with Canada for taking over the administration of the southern regions where settlement was possible. To the north of such districts the Licence should be renewed. If no arrangement could be made with Canada for the administration of the southern districts, then thought should be given to the establishment of some separate government.

The need for an enquiry had convinced the Colonial Secretary that there was also a need for more information on the North West. Labouchere, at the suggestion of the President of the Royal Geological Society, had already determined to despatch an exploring party under Captain John Palliser.

The Committee's report, dated July 31, 1857, gave no satisfaction to the advocates of western expansion in Upper Canada, for it left the question of the validity of the Charter untouched. They had meanwhile been active themselves. The major result of Brown's committee of enquiry was the despatch of an exploring expedition to Red River in July. It was under the command of George Gladman, though it is better remembered by the name of the scientist attached to it, Henry Youle Hind of the University of Toronto. This was the beginning of the Canadian exploration of the Red and Assiniboine valleys, and the lower Saskatchewan; but the expedition's main task was to determine "the best route for opening a communication" between Lake Superior and Red River. Thus Red River, so long isolated, saw the arrival of two exploring expeditions, one British and one Canadian, in the fall of 1857.

It had not been a quiet summer in the settlement. William Kennedy on his arrival had begun an agitation for annexation to Canada. In a public meeting in March, a petition to the Legislature asking for incorporation into Canada had been drafted, and signed by 575 inhabitants of the colony. Further resolutions protesting against the evidence given by Simpson and John Rae before the Select Committee were approved at meetings in May and June, and these with the petition were carried east by Kennedy in June. The agitation in Canada was now matched by one in Red River.

It is improbable that the Red River agitation would have led to serious trouble, unless the *métis* had chosen, as they did not, to oppose it. The arrival of the Royal Canadian Rifles by way of York Factory in October removed any possibility of an outbreak, partly by their presence as a force in support of the civil power, partly by the market they, with the exploring parties, provided.

PROBLEMS IN THE WEST, 1858

At the beginning of 1858, it was plain, the Imperial Government was faced with three problems requiring solution in the North West. One was that of government of gold rush territory on the Pacific slope; a second was that of the renewal of the Licence over all or a portion of the territory of the Hudson's Bay Company; the third was that of the disposition of any territory not brought under a renewed licence. As this territory would be the Red and Saskatchewan valleys, their future disposition raised the questions of the boundaries and the validity of the Charter. Of these three problems, the first two demanded immediate solution and the third was scarcely less urgent.

The first dealt with was the problem of maintaining order and British sovereignty, in a territory suddenly occupied by thousands of miners, most of them Americans, who might, for want of government, set up a provisional government, as in Oregon, and demand union with the United States. Governor James Douglas of Vancouver Island, made a Crown Colony in 1857, dealt firmly with the situation on the Fraser by arbitrarily extending his authority to the mainland. In this he was promptly supported by the new Colonial Secretary, Sir Edward Bulwer Lytton. Lytton then introduced a bill to create a Crown Colony of British Columbia in the territory west of the Rockies, which was enacted. Douglas was made Governor of British Columbia as well as Vancouver Island and proceeded to maintain British authority in the mining camps. The Pacific slope was thus made secure for the westward expansion of Canada.

The issues on the west coast were clear and imperative, and decision, though dealing with great issues, was easy. The solution of the second problem, that of the Licence, was not to be easy. There was a balance of conflicting considerations. On the one hand was the

fact that the Hudson's Bay Company had undoubted rights, if only by the prescription of long use, and that only the Company was interested in the trade and government of most of the territories in question. On the other hand were the Canadian agitation for the annexation of the North West and the growing American interest centred in St. Paul. Such a conflict suggested a need to make time for a solution, and Lytton proposed a renewal of the Licence for one year. But the Company, conscious of the disintegration of its authority in Red River and on the Saskatchewan, declined to accept his proposal. With the prospect of the Licence not being renewed, Lytton was left face to face with the question of the validity of the Charter. He determined to have it tested in the courts, as Labouchere had tried to have done. Lytton accordingly proposed to the Canadian government, now that of Cartier and Macdonald, that it bring an action by a writ of *scire facias*. To his surprise and indignation the government declined, on the ground that it was for the Imperial, not the Canadian government, to test the Charter. Before Lytton could take further action, the government of which he was a member fell in June, 1859. The Company's Licence had by then expired.

The reluctance of the Canadian government to test the Charter arose from two causes. One was the political difficulty caused by the Reform party's contention that the Charter was invalid and Canada's title clear. For the government, in face of this contention of a strong opposition, either to imply the validity of the Charter by testing it in the courts, or to consider paying compensation for the surrender of the Charter, would be to play into the hands of its opponents and suffer a loss of support in Upper Canada. The other reason was more obscure, but perhaps more important: it was assumed that if the West were annexed it would be added to Upper Canada. Thus the preponderance of Upper Canada in the United Province, already expressed in the Reformers' demand for representation by population, would be increased manifold. It would have been a matter for wonder if the French of Lower Canada had viewed the prospect without uneasiness.

It is clear in retrospect that the only true solution of the problems posed by westward expansion was a federal one, the creation of new provinces in the west. Yet this solution was not apparent at the time, simply because the Red and Saskatchewan valleys lacked the population to maintain a government or governments. The Imperial Government was reluctant and the Canadian government unable to contemplate assuming the cost of upkeep of governments in territories so empty. As early as March, 1857, the Governor-General of Canada, Sir Edmund Walker Head, had drafted for the Colonial office a bill for the creation of a province of "Saskatchewan (or Manitoba)". There was to be talk from time to time of the creation of a Crown Colony like British Columbia in the Red and Saskatchewan valleys. But there was no gold rush on the Saskatchewan big enough to force the reluctant hand

of the Imperial Government, and Canada, despite proposals from 1856 on for a federal union of the Canadas or of British North America, failed to realize that only an application of the federal principle would reconcile Lower Canada and the Atlantic Provinces to the annexation of the North West.

COMMUNICATIONS BETWEEN CANADA AND THE WEST

While this deadlock was reached in the political aspects of westward expansion, efforts to initiate commerce between Canada and the North West were proceeding. The physical difficulties were formidable. Whereas on the cart tracks between St. Paul and Fort Garry there were no serious obstacles, no heights, no rocks, there were many obstacles between Canada and Red River. The Great Lakes were not navigable in winter, and there was no winter land route north of Lake Superior. And even in summer travel between Lake Superior and Fort Garry was hard, thanks to the granite ridges and impassable muskegs of the Canadian Shield. The old canoe route of the North West Company was seldom used now; the portage paths were grown up, the corduroy ways rotted.

None the less, the parties who had sent William Kennedy to Red River in 1857 had proceeded to organize the North West Transportation Navigation and Railway Company. It was incorporated in 1858, and the first meeting held in August of that year. Among the directors were George Gladman and William Kennedy; William McDonnell Dawson was elected president. In October it acquired the steamer *Rescue* and the government contract to carry mail to Fort William and Red River. The Company proposed to revive the old canoe route from Fort William to Red River across the stubborn barrier of the Canadian Shield. And beyond that they had in mind the old overland route to the Pacific.

Thus launched, the Company sought to raise capital in Great Britain. Viscount Bury, then in Toronto, was invited to be a director, in order that his London connections might help with this task. North West experience, Upper Canadian enterprise and British capital were, it was hoped, to be combined in a new North West Company which would restore the ties of commerce between Canada and the North West.

Similar projects were being pushed in St. Paul, and it was not impossible that the American and Canadian projects might fuse. In St. Paul the Minnesota and Pacific Railway had been chartered. Its projectors planned to build westward by either a southern route in the United States or by a northern route in British territory, or both. They were also looking for a connection eastward with a Canadian railway, either the Grand Trunk at Sarnia or another. The project was, in short, one for an international line. The St. Paul promoters

accordingly noted with interest the formation of the North West Transportation Company and Bury's visit, for they would have gladly joined with a Canadian line backed by British capital. And their welcome was inspired not only by need of capital, but also by complete confidence that the "natural" entrance to the North West and the "natural" northern route to the Pacific lay through St. Paul.

This confidence of the Minnesotans, a major factor in the story of Canada's westward expansion, was based not only on the steadily growing trade with Red River, but also on Blodget's theory of the fitness for settlement of the territory north of latitude 43°. A gifted publicist now made this his central theme. James Wickes Taylor had settled in Minnesota and made the opening of the North West to settlement his life's work, a work of devotion which was to win him the nickname of "Saskatchewan" Taylor. He was preaching a message of a North West awaiting the railway and the settler, of an international railway from Canada through Minnesota to the Fraser's mouth, of a British Central America opened to settlement and commerce by the extension of the Reciprocity Treaty to the North West, of a trans-continental flow of commerce from the North West through Minnesota to Canadian canals and railways.

Nothing came of this momentary mutual interest of the expansionist groups in Toronto and St. Paul, and each thereafter proceeded on its separate way to equally unimpressive ends. The truth was that the afflatus of the great enterprises of 1857 was ending, as the depression dragged on, and nothing in fact could be done for another decade to further the annexation of the North West. The North West Transportation Company carried mail to Red River for two years, and then had to give up even that limited undertaking in 1859. The old canoe route from Fort William could not compete even in the carriage of mail, much less in that of goods, with the flat plains route from St. Paul.

The St. Paul Chamber of Commerce had organized the building of the *S. S. Anson Northup*, the first steamboat on the waters of the North West and designed, not to ply Red River, but to ascend the Saskatchewan. It also despatched an expedition under Colonel Nobles in 1859 to explore an overland route, but most of the party, including the leader, turned back at Fort Ellice. The two more famous exploring expeditions completed their work and made their reports about the prospects of western development. The British one, Palliser's, was full of doubts, and dwelt in particular upon the manner in which nature had isolated the North West from Canada; Palliser wrote, "The egress and ingress to the settlement from the east is obviously by the Red River Valley and through the States." The Canadian report, Hind's, was enthusiastic, and the expedition's surveyor, S. J. Dawson, recommended the development of a route between Thunder Bay and Fort Garry similar to the old canoe route but using waggon roads at both

ends. One other outcome of the hopes of 1857 was the founding of the newspaper *The Nor'Wester* in Red River in 1859 by William Buckingham and William Coldwell. This was the beginning, with the coming of Henry McKinney in 1859 and his half-brother John Christian Schultz in 1860, of a small "Canadian party" in Red River.

A CHECK TO PROGRESS

The long pause in westward expansion which followed 1859 was caused by three factors. One was the failure to find a formula which would end a growing deadlock in Canadian politics, a deadlock of which westward expansion was a part. A second was failure to decide how the regime of the Hudson's Bay Company was to be ended. A third was the blocking of enterprise by the commercial depression which had begun in 1857.

To these was to be added in 1861 the outbreak of the Civil War in the United States. The first effect of the war was to end the pressure on the North West which had threatened to absorb that region into the United States. The next was to replace that pressure with the possibility of an Anglo-American war fought in Canada. The result was to turn attention from a merely regional settlement of the future of the North West to a continental one, to westward expansion as part of British North American federation.

The first problem, that of ending the Company's regime, turned in the first instance upon the readiness of the Imperial Government to take action in settling the government of the territory, and, failing that, upon the testing of the validity of the Charter. In 1860 the Colonial Secretary, the Duke of Newcastle, proposed that a Crown Colony be organized in Red River. The proposal was welcomed there, but not in Canada, where opinion tended to see it as a manoeuvre inspired by the Hudson's Bay Company. The Company was in fact only trying to escape from a position of increasing embarrassment. Simpson had died in 1860 and his successors were not as resolute as he in maintaining the Company in its traditional rights and ways. But a colonial government in the North West would have relieved it of some cost and much anxiety. The proposal of 1860 and a similar one in 1863 came to nothing, and the authority of the Company continued to weaken.

Practically nothing was done to check the drift towards anarchy. In 1860 the War Office refused to replace the detachment of Royal Canadian Rifles due for relief, and in 1861 they were withdrawn. No other military force existed, and the only police were local constables in the Red River parishes. In 1862 came the Minnesota massacre and the flight of refugee Sioux over the border in 1863. This brought with it the threat of American pursuit across the border, or an outbreak of fighting with the Ojibwas, the hereditary enemies of the Sioux. And

the massacre was only the first of the disturbances which in the next few years threatened to bring the Plains Crees or the Blackfoot raiding to Red River.

At the same time the commercial monopoly of the Company under its Charter was flouted by an ever-growing number of free traders. The Company had in fact become only the greatest and best organized of private traders. Its power and prestige were still overwhelming but it could not employ them to crush its rivals, and a larger and larger portion of the furs and robes of the North West was shipped out by the private traders.

The ending of the Company's commercial monopoly was followed by an attack on its political authority, made by the "Canadian party". This group's first mouthpiece was James Ross, half breed son of Alexander Ross, the historian of Red River. Ross had been educated in the University of Toronto and after his return to Red River was anxious to bring his native country into the stream of contemporary civilization. In this he was aided by John Schultz, who had become an ardent believer in the future of the North West and a promoter of its opening to settlement. Ross and Schultz came, as did Upper Canadians, to regard the Company as the chief barrier to the opening of the North West. *The Nor'Wester*, which Ross had taken over from Buckingham and Coldwell, became the vehicle of their attacks on the Company. The result was the dismissal of Ross from his office of Sheriff and Postmaster of Assiniboia. Schultz then took over *The Nor'Wester* and continued the controversy. The comment of *The Nor'Wester* was not confined to political polemics, but so inflamed public sentiment as to lead to the jail breakings during the Corbett case in 1864, when the authorities in Assiniboia were shown to be incapable of maintaining order.

THE FEDERAL IDEA

While anarchy continued to grow in Red River, in Canada events were moving, if slowly, towards a situation in which westward expansion would become possible. In 1858 Alexander Galt had made acceptance of the principle of colonial federation the condition of his entrance into the Cartier-Macdonald government. The result was the despatch of a delegation to London later that year to press federation upon the Colonial Office. Little, if any, progress was made, because the Colonial Office, under Lytton, was opposed and, perhaps, because Cartier as Lower Canadian leader was still doubtful. The Liberal-Conservative party, however had taken up the principle which would make the annexation of the North West possible. And in its platform of 1859 the Grit party added the federal principle, confined to the Canadas, to its former demand for the acquisition of the North West. Slowly the necessary elements — another, an inter-colonial railway to

bring in the Maritimes, appeared in 1862 — for the union of the North West with Canada and of all British North America in one comprehensive scheme were moving into place — but very slowly.

The delay made time for one more attempt at a piece-meal approach to the problem of westward expansion. It was inspired by the difficulties of the Grand Trunk Railway. That line had been built to draw traffic from the American Middle West to Montreal. The attempt, after much costly construction, had not proved successful. In 1861 the worried directors sent out Edward Watkin to report. His conclusion was that the salvation of the investment lay in westward extension through the Middle West by Minnesota and the Saskatchewan valley to the Pacific. Watkin like J. W. Taylor has seen the vision of the great international line by the northwestern route.

His recommendations aroused interest particularly in the banking houses of Baring Bros. and Glyn, Mills and Co., which had financed the Grand Trunk Railway. Thus when in 1862 the J. S. Macdonald-Sicotte government of Canada considered the subsidization of mail and telegraph communications with the Pacific, Watkin and his supporters seized the opportunity. The Atlantic and Pacific Transit and Telegraph Company was organized. Then, in 1863, the International Financial Society was formed and purchased the stock of the Hudson's Bay Company. In this it received the support of the Colonial Secretary, the Duke of Newcastle. The plan was to build a telegraph line as a preliminary to a railway, and to establish a Crown Colony in the southern territories. Both projects, however, collapsed. The Imperial Government could not bring itself to assume direct responsibility for the government of the North West, and Watkin's efforts to build the telegraph line ended with bundles of wire rusting at Fort Garry and a tramway idle at the Grand Rapids of the Saskatchewan.

At this point the long deadlock in Canadian politics was broken by the formation of the Macdonald-Brown coalition of 1864 which was pledged to carry confederation. At the Quebec Conference of 1864 the North West was unrepresented, but the Resolutions provided for admission of "The North-West Territory". The federal solution had been adopted for the problems of uniting British North America, but only partially with respect to the North West. That region was to come into the new federation as a territory, not as a colony or province.

There still remained the problem of how Canada was to acquire the territory of the Hudson's Bay Company. The various Canadian governments since 1857 had continued to maintain that the Charter was invalid, at least in the southern regions claimed by the Company, and that it was the responsibility of the Imperial Government to have it set aside. In 1865, however, Macdonald, Cartier, Galt and Brown, still the leading advocate of westward expansion but now in the coalition ministry which was preparing confederation, went to England.

They negotiated with the Colonial Office in order to arrive at terms for the transfer. While the task was not completed then, the delegates did accept the principle that Canada should pay the Company compensation for the extinction of its rights. A figure was even suggested, £300,000, an estimate of the cost of the litigation to test the Charter.

There the matter stood while the work of Confederation was carried forward by the drafting and passage of the British North America Act of 1867. Section 146 of the Act provided for admission of "Rupert's Land and the North-Western Territory" to the Union on terms to be arranged.

There was some need to end the dilatory movement of Canadian politics. In 1868 John Schultz once more successfully defied the authorities of Assiniboia in a jail breaking in which he was himself involved. In a trial for murder that same year the accused was defended in the Quarterly Court of Assiniboia by an American citizen and lawyer from Pembina, Enos Stutsman, and no one seemed to think it strange. There were, after all, no lawyers, as there was little law in Red River. In 1866 the Reciprocity Treaty came to an end and Anglo-American relations became strained by the Alabama claims. Anglophobe politicians and Minnesota expansionists, with J. W. Taylor their assiduous "ghost", combined to demand the annexation of Canada, as in the Banks Resolution in Congress, 1866. And in 1867 Russia sold Alaska to the United States, thus recognizing the continental supremacy of the new power created by the Civil War. The North West lay between the new American territory and the old, and only British power remained to offset that of the Republic. What wonder that in 1868 the Legislature of Minnesota demanded that the North West should be annexed to the United States.

CANADA ACQUIRES THE NORTH WEST

But the new Canadian Parliament was acting briskly. It passed Addresses of both Houses in December, 1867, praying that Rupert's Land and the North-West Territory be admitted to the Union. Then in the fall of 1868 George Cartier and William McDougall were sent to complete the negotiations for the transfer in London. It was a balanced representation of Lower and Upper Canadian interests, for McDougall was second only to Brown as an advocate of westward expansion and Cartier was the leader of French Canada. He was, however, no longer doubtful of the effects of the acquisition of the North West on French Canada. The federal union had set those doubts at rest and in fact Cartier, because of McDougall's illness and the loss of his wife, actually conducted the negotiations.

These were prolonged and difficult. Cartier did his utmost to minimize the compensation due the Company, and flatly refused to "buy it out". A land grant for compensation and a money payment for the waiving of litigation to settle the validity of the Charter were

the most he would accept. The Colonial Secretary, the Duke of Buckingham and Chandos, finally brought the parties to agreement on terms comprising the retention of one-twentieth of the land of "the fertile belt" (the southern territories) with designated blocks of land around its posts and a cash payment of £300,000. The Company was to surrender its government and territories to the Crown, which was to transfer them at once to Canada. The Imperial Government undertook to guarantee a Canadian loan for the amount of £300,000.

All now seemed to be arranged, and all three parties proceeded to carry out the terms agreed upon. The Imperial Parliament passed "The Canada (Rupert's Land) Loan Act, 1869." The Canadian Parliament passed a fresh Address of Both Houses in May, 1869, incorporating the terms of the transfer. It also passed "An Act for the Temporary Government of Rupert's Land and the North-Western Territory when united with Canada," which provided for the government of the North West by a lieutenant-governor and a council to be appointed. The Hudson's Bay Company then executed a Deed of Surrender, which was finally completed on November 19, 1869. It only remained to pay over the £300,000 and convey the government and territory of the North West to Canada. But on November 27 the Prime Minister, Sir John Macdonald, cabled that the money must not be paid. The reason was that in Red River armed insurgents had risen to resist the transfer to Canada until terms should be made with the people of the North West.

The story of this resistance and of its aftermath, the Saskatchewan Rebellion, has been told elsewhere in this series.¹ Suffice it to say here that the Red River troubles sprang from the failure of the Imperial Government and Canada to consult the people of Red River about the change, or at the least to advise them of its terms and its date. But they also arose from the fact that the North West had not developed sufficiently to obtain the status of a Crown Colony before the transfer of the territory to Canada. Because of this failure, which is easily to be explained by the circumstances of the North West, annexation to Canada did not mean for Red River and the North West what it had to mean for British Columbia, the coming of full representative and responsible government. Because of this failure, the Canadian Government was not moved to apply the complete federal solution of incorporation of at least Red River as a province of the Dominion. Thus it seemed to the insurgents of Red River to be carrying out the old Upper Canadian policy of outright annexation, and not the new federal policy of union with local rights safeguarded. Canada, in establishing the North West Territories, had adopted an imperial policy, but it had neglected to proclaim that Canadian rule carried with it all the rights of British subjects and all the implications

¹Booklet No. 2, G. F. G. Stanley, **Louis Riel: Patriot or Rebel?**

of the federal union of 1867. This oversight it had, after many perils, to put right in the Manitoba Act of 1870 and through the development of self-government in the North West Territories from 1876 to 1905. Lieutenant-Colonel Wolseley's military expedition to Red River in 1870 served to ensure the peaceful inauguration of the new regime established by the Manitoba Act; but the chief importance of this enterprise, carried out in part over the half-constructed "Dawson Route", was that it demonstrated to hostile elements in the United States, and particularly in Minnesota, that the obstacles to communication between Ontario and Red River were not insuperable, and that British and Canadian authority could and would be maintained in the North West.

Even when the province of Manitoba was created, its size was constricted and it was denied control of its public lands. Neither of these things could have been done had Red River become a Crown Colony before 1869. But the federal government needed the land of the west to help subsidize the Pacific Railway which was to complete the work of Confederation, and Manitoba and the North West Territories had to submit to the use of their public lands "for the purposes of the Dominion".

After the Red River passage was secured, Canada could advance unchecked to the Rockies. Beyond lay the great colony of British Columbia. Island and mainland had been united in 1866. The political development of the colony was evident in the lively struggle for responsible government led by Canadian colonists, notably the flamboyant Nova Scotian, Amor de Cosmos. The same people were conducting an active agitation for union with Canada. They prevailed over the inertia of the old colony party and the opposition of the small group of American annexationists. In 1871 British Columbian delegates to Ottawa won most generous terms from the Dominion, including the pledge to begin the Pacific Railway within two years and to complete it within ten of the date of union, July 1, 1871. British Columbia became a full-fledged province on that date, with responsible government and control of its public lands. Union thus brought British Columbia full local self-government, and the generosity of the terms it had won served to underline the fact that the westward expansion of Canada to the North West could take place only on the federal principle.

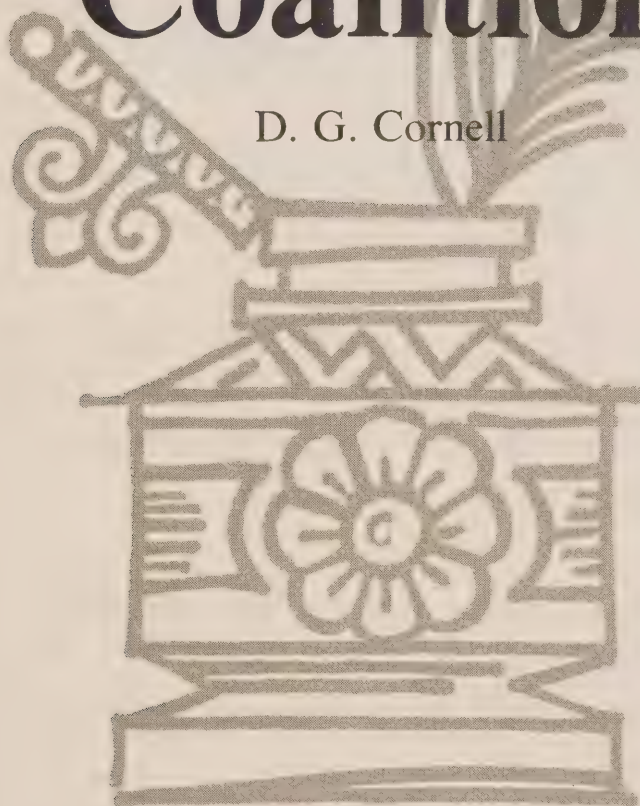
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The Great Coalition

D. G. Cornell



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The Great Coalition

D. G. Cornell



P. G. CORNELL

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THE GREAT COALITION

On November 6th, 1867, the first session of the First Parliament of the Dominion of Canada met in the Parliament Buildings at Ottawa. The members had been returned at a general election in the previous September, and now assembled to debate and write the first statutes of Canada. In many ways it was a new beginning, and many elements in the new national context still remained to be explored.

Yet the situation was not really new. The Commons chamber in which they sat was familiar to some forty-eight percent of the members. Many had been in session there on the previous August in the last session of the Union Parliament. The clerks and writers, and the very form of the sessional papers were familiar. Nor were the political manoeuvres or the attitudes of members, a groping for a sense of direction in an unfamiliar political arena. The lines drawn between political parties in the House of Commons in 1867 had evolved over the course of a quarter century. It was the most natural occurrence when John Rose moved the House into Committee of Supply, on December 10th, and Sir John Macdonald seconded his motion. It was an equally familiar sight when A. A. Dorion rose to move an amendment strongly critical of the government. It had all happened before, many times.

For the general public, the recent general election that had returned these members to parliament had had little to distinguish it from half a dozen previous elections. The leading politicians were well known, the party organization in the ridings was essentially the same. An examination of the personnel and general motives of Canadian political parties shows no break in continuity at 1867. Rather, there is exposed a continuing evolution and development stretching from before 1854 to the days of the First World War.

When the Legislative Assemblies of the new provinces of Ontario and Quebec met first in the last days of December 1867, the members there too, found their political roots in the twenty-six years of experience under the Union of 1840. About twenty-seven of the members at Quebec and about fifteen percent at Toronto had been elected to the Canadian Legislature before. The quiet exultation in the early meetings of both these Houses arose particularly in contrasting their new found freedom of action with the restraints imposed by the old constitution.

For the public men of Nova Scotia and New Brunswick the experiences of 1867 appeared in quite a different light. Nova Scotia's nineteen and New Brunswick's fifteen federal members were

grafted, somehow like strangers, into the Canadian political arena. They left behind in Halifax and Fredericton two colonial capitals that for generations had been outposts of an empire centred on London, dealing with customs duties, maritime policies, coinage, militia and a large range of public business. After the proclamation of the Dominion of Canada these provincial governments found themselves confined with limited financial resources to coping with roads, schools, municipal affairs, and a narrowly restricted field of competence. Old long-established political party loyalties and enmities continued to operate at the provincial level in the Maritime Provinces and in electing federal members. But it was the alignment of political parties developed in the years 1841 to 1867 in the Province of Canada, that set the stage for the development of federal party alignments.

Political Parties and Confederation

The union of British North American colonies occurred in response to a large range of circumstances that included an international climate of opinion responding to German unification, an appreciation in British Government circles of the altered importance of dependent North American colonies in British imperial relationships, the impact of the United States as a major strategic factor in world power politics and a large and dynamic neighbour of British North American colonies, the many facts of commercial and financial activity in these colonies, and the social and political activity of the colonists themselves. The public affairs of the Province of Canada were but one element in a much larger historical fabric, yet all students of mid-nineteenth century Canadian history are agreed that political party activity in the united Province of Canada was intimately connected with the achievement of Confederation in 1867. Their evaluation and even their explanation of the role of parties has changed from generation to generation. The geographical and political loyalty of each historian has also coloured his view of the question.

A not uncommon Nova Scotian view sees Canadian party and racial rivalries pursued with great immoderation bringing the public business to a standstill in "deadlock." It was in seeking a resolution of their domestic political problems that the public men of that Province had gone out to involve other British North American colonies in a general union.

A French-Canadian explanation points out that the Union of 1840 was conceived to swamp French-speaking folk in a predominantly English-speaking, Anglo-Saxon political unit. In the ensuing quarter-century the conventions of the British constitution were

used to fend off the assimilation of French Canada. The government, begun as a legislative union of Upper and Lower Canada, was made to operate as a quasi-federal union. By the late 1850's the pressure of an ever growing English-speaking population in Canada West made some adjustment of the constitutional arrangements inevitable. The correct adjustment in the 1860's should have been the clear acknowledgement of the federal principle applied only to Quebec and Ontario. The provincial governments should have been allotted strong powers and the federal level limited to "some joint authority" dealing with matters that were clearly of joint concern to the two provinces. To supporters of this view the forceful advocacy by the Great Coalition of a general federal union of all British North America appears wrong headed. It seemed to them that political party advantage and the hope of financial gain must have been the principal motives of the Coalition.

The Clear Grit Liberals voiced clearly some of the sectional viewpoints of the Ontario region. They concentrated their attention on achieving sectional self-government unhampered by French-Canadian motives, but were not unanimous in their vision of the ultimate constitutional goal. A small minority saw their future in political union with the prosperous and dynamic United States. Few saw any great advantage in union with the Maritime colonies. Many envisaged Ontario's future prosperity arising from the peopling and development of the prairie west.

Some of the basic facts about the Great Coalition are not questioned. The interaction of political parties in the Province of Canada had virtually ground to a halt in deadlock, in the winter 1863-1864. A coalition of leaders from the two major parties from Canada West and the principal French-Canadian party of Canada East concluded a temporary political truce in June 1864, in order to bring in a new federal constitution. This "Great Coalition" did take very active measures and was the "main spring" of the Confederation movement. To appreciate the nature and force of political motives in the creation of the Dominion of Canada one must seek an understanding of political developments in the previous generation. Some of the century old themes are not unconnected with Canadian national affairs today.

Launching the united Province of Canada

In 1840 the British government and its Colonial Secretary Lord John Russell were urgently seeking solutions to the political and administrative problems left by the abortive rebellions in Upper and Lower Canada. The public service in the two colonies was antiquated

and inefficient. The intensity of public feeling between Family Compact and Reformers, and between Chateau Clique and *Patriotes* had subsided into sullen lethargy, with many of the Reformers' and *Patriotes*' leaders in exile. There was apparently no political party in being that could give leadership in the orderly reconstructing of public life. This lack of stable moderate political parties in both colonies rendered Lord Durham's recommendations for the establishment of cabinet government in these colonies unworkable. In neither province was there evidence that the mass of the general public knew the many political conventions that made cabinet government work in Britain.

Charles Poulett Thompson, a senior British politician at the height of his career, and possessing a wealth of experience in business practice and political manipulation, was sent out to the Canadas as Governor-General to restart and reorganize public life. It was decided that the two colonies should be united in one legislature, each being represented there by forty-two members. It was agreed that the Governor should personally assume the initiative in ordering affairs in the new united province, avoiding as much as possible the use or recognition of existing political parties and groups. Both Russell and Thompson believed that a programme of active and effective practical measures firmly administered by the Governor would rehabilitate public life and take public attention away from intense factional strife and theoretical discussion of constitutional issues. During his administration Thompson (presently Lord Sydenham) did succeed in his general aims. Basic reforms were instituted in the public service, and the new representative system was successfully put in motion.

The Governor could not hope to extinguish from the public memory a generation of activity by Lower Canadian British Tories, Compact Tories, French-Canadian *Patriotes* or Upper Canadian Reformers. Yet he set himself to act without them, and in spite of them. For the 1841 election he personally sponsored a slate of moderate candidates in Canada West who were set up to oppose both Compact Tories and a reviving Reform party. Thus Alan MacNab and J. S. Cartwright were excluded from the Governor's circle as undesirable Tories while Robert Baldwin and Henry John Boulton were suspect "ultra" reformers. In Lower Canada it was decided to ignore the French-Canadians and by a careful deliniation of the boundaries of ridings and the location of polling places secure the return of as many English-speaking, non-French members as possible. In fact the Governor, in sponsoring "British" candidates in Lower Canada, was reviving a British-Tory-merchant party there.

John Neilson, A. N. Morin and L. H. Lafontaine created a political party organization, with English as well as French members, to protest the Act of Union, which had been implemented without popular consent. Their efforts created a new French-Canadian party. Before Lord Sydenham's death a political alliance was being forged between Baldwin Reformers of Canada West and the Lafontaine French-Canadians of Canada East with the aim of securing the practice of cabinet government in the Province.

Sir Charles Bagot, Lord Sydenham's successor, was a man of very different experience, having had a distinguished career in the diplomatic service. On the meeting of the Legislature in 1842 he was faced by an altered political situation that could not be solved by the Governor's personal initiative in a further programme of practical measures. A majority of the members of the Assembly were in sympathy with the aims of the Baldwin-Lafontaine Alliance and prepared to support those aims. Sir Charles dismissed three of the Executive Councillors that he had inherited from his predecessor, and installed Lafontaine, Baldwin and three of their colleagues in the Executive Council. Between September 1842 and Bagot's replacement in March 1843 the Executive Councillors acted in consort one with another, and in complete harmony with the Governor in ordering the executive acts of the provincial government. Thus within two years of the starting of the provincial government under the Russell-Sydenham policies, French Canadians found themselves advising the Governor in his Executive Council, and the Council itself had a majority of members from the same political alliance that enjoyed the support of the majority in the Legislature. There was no official recognition of a change in constitutional practice, but something very close to cabinet government had been achieved.

The evolution of parties down to 1849

The British government was distressed by Sir Charles Bagot's initiatives that had come close to conceding the practice of cabinet government in a colony, and instructed his successor Sir Charles Metcalfe to avoid further concessions in this direction and to regain the initiative for the Governor in ordering colonial public business. The Executive Councillors soon sensed the new direction of official policy, and resolved to make a public issue of the fact that the Governor had refused their advice in appointing a Postmaster. When Sir Charles Metcalfe insisted upon his right to refuse their advice, all the political members resigned on September 30th from the Executive Council. On making their explanations to the Assembly, the "late councillors" were vindicated in their resignation by a majority of the Legislature.

It was a measure of the discipline within the Baldwin-Lafontaine Reform Alliance that their members stood firm in the crisis of the fall of 1843, and continued to preserve their unity through an election defeat in 1844 and through more than three years "in opposition" until their victory in the general election in the winter of 1847-1848. This united front was kept intact by various devices, a voluminous correspondence between the leaders and members, testimonial dinners, and political rallies.

In resolving the constitutional crisis, the Governor-General brought several men of moderate view, including D. B. Viger, a former *Patriote* who hoped to further French-Canadian national aspirations from within the executive, and D. B. Papineau, a brother of Louis Joseph Papineau, into his Executive Council. After an extended tour of the Province, an active correspondence with leading public men who might support his aims, an extended debate in the press about the issues, and the issuing of a series of carefully argued pamphlets by Egerton Ryerson supporting the Governor's stand, Sir Charles called a general election in the late summer of 1844. It resulted in a narrow victory for the Governor.

The three sessions of the Second Parliament in the period 1844-1847 seemed to provide an opportunity for the formation of some sort of Tory Alliance to oppose the Reform Alliance now in a minority. W. H. Draper, a leading barrister and a moderate Tory, was one of Metcalfe's first appointments to the Executive Council after the mass resignation of Reformers. He made valiant efforts to create an effective moderate Tory party, and recognized the potentialities of J. A. Macdonald, J. H. Cameron and William Cayley, all moderate Tories at the beginning of their political careers, by bringing them into the Executive Council. Draper's efforts to create a united Tory party were abortive for several reasons: Draper had no personal following in the Legislature, the Tory ranks were divided by faction, and an important element among the Governor's supporters in the House were simply moderates who opposed the policy and outlook of the Baldwin-Lafontaine Alliance and were not supporters of Tory principles. Draper's work in these years has earned him the credit of being the father of the Conservative party.

British policy about the institution of cabinet government in colonies was reversed in 1846, and the new favourable view was made known to Lord Elgin, the new Governor-General. These conventions were to be taken into practice on the first opportunity that presented itself. The precedent was set in Nova Scotia. The opportunity was created in the Province of Canada in 1848. The

general election of December 1847-January 1848 returned the followers of Lafontaine and Baldwin in a strong majority from both sections of the province. On March 10th, 1848, the Tory Executive Councillors resigned in the absence of majority support in the Legislature, and on the same day L. H. Lafontaine agreed to form a cabinet composed entirely from the Reform Alliance. In the legislative session of 1849 the conventions of cabinet government (responsible government) were in full operation with the Reform Party "in power" initiating a vigorous programme of legislation including the Rebellion Losses Bill, and amnesty for participants in the 1837-1838 rebellions, a Municipal Corporations Bill for Upper Canada, a University Bill and railroad legislation. The Tory opposition could still not discover a basis for united action, while a number of its members were implicated in the public unrest and the burning of the Montreal parliament buildings in late April. Later in the year the despairing Annexation Manifesto issued from many Tory hands. The Tory disunity and lack of direction manifested in the Second Parliament continued in further disintegration through the 1848 and 1849 sessions of the Third Parliament.

A period of realignment 1850-1854

In the months following the session of 1849 new currents of political activity became apparent among the government's supporters and the opposition from both sections of the Province.

By-elections in Canada West returned W. L. Mackenzie, Caleb Hopkins and Peter Perry, all left-wing reformers in 1837. L. J. Papineau had been elected in 1848, and was now joined by Luc Letellier and the annexationist J. S. Sanborn, from Canada East. Although these members did not form a new disciplined party "of the left," they did press for democratic and republican innovations in government, and gave a foretaste of the political views that were to be pressed vigorously in future years by Clear Grits and Rouges. The leaven of their advocacy drew other liberal-minded members to vote for some of their propositions. While these symptoms of a new left-wing radicalism were appearing from the session of 1850 onward, there was also a re-orientation under way among right-wing elements in Canada West. Since 1841 Compact Tory ideas and traditions had been at the core of the right-wing members from Canada West. Following the excesses of 1849 a new generation of moderate Tories began actively to challenge the older high Tories within the party. Draper's young men were at the centre of this reappraisal of Tory goals, and with their generation the word "Tory" is progressively replaced by "Conservative" in describing the party.

In October 1851 both Lafontaine and Baldwin left the government, and leadership of the Reform Party. They were succeeded by Francis Hincks and A. N. Morin, who proceeded to reconstruct the ministry. To appease the more radical elements in the party who had been chafing at the moderation of the old leaders, L. T. Drummond and John Young from Canada East and John Rolph and Malcolm Cameron from Canada West, all advanced liberals, were brought into the cabinet. This cabinet reorganization was followed by a general election that returned the government with a little altered majority. The contests in the ridings at the 1851 general election had preserved the general character of duels between Reformers and Tories, but there were strong evidences that there was now an ultra wing and a moderate wing to the Reform party in both sections of the Province. One of many examples of this trend was evident in York North where Robert Baldwin, the late Reform leader, and Hugh Scobie, a Conservative, were defeated by Joseph Hartman, an ultra-Reformer.

When the Fourth Parliament met in 1852-1853 the eighteen Reformers from Canada West were found to be about equally divided between moderates and more advanced Reformers, and on the left were the two independents W. L. Mackenzie and George Brown. There was much more solidarity in the ranks from Canada East, twenty-three strong. However, LaTerrière, Marchildon and Sicotte stood out on the left wing of the party, and to their left again in opposition were the early Rouge members Jobin, L. J. Papineau, Valois and John Young. Despite these divisions the Hincks-Morin government survived the session.

Almost a year intervened before the parliament met again in June 1854. In the interval the public was agitated by speeches and press reports to insist upon a more vigorous and liberal policy. Hincks the government's leader was away in Britain seeking loans and contractors to press on with railway building, and appeared to have lost touch with the political climate at home. When he did finally meet parliament he found himself in a minority of 9 to 29 in Canada West, and an overall minority of 30-47 in the whole House. His government did retain a slim majority of members from Canada East. What was most striking in this crisis of June 1854 was that the government was in a moderate middle-of-the-road situation with a significant opposition opposing it from both the left and right. Ultra-Reformers, Rouges and independents composed the left wing. On the right, twenty Tories and Conservatives from Canada West were joined by eleven Tories from Montreal and the Eastern Townships, and right-wing French Canadians.

Hincks called an immediate general election in the hope of securing a more sympathetic House, but was frustrated in this. There had been a redistribution of seats before the 1854 election that increased the composition of the Legislative Assembly from 84 to 130 members (65 from each section of the Province). When the alignment of the new House was tested on September 5th, in choosing a Speaker, the Hincks-Morin government found itself in much the same position as at the end of the previous session. It was still opposed from both left and right, and was in an overall minority, and a minority in Canada West. Clearly the Reform Alliance, first projected in 1840, which had served under Bagot, and first introduced responsible government under Lord Elgin in 1848, had now come to the end of its mandate.

In seeking the tactical reason for its difficulties in the politics of 1854, it should be noted that the Hincks-Morin government maintained the support of a majority from Canada East, and was not faced by a sudden resurgence of Conservative strength in Canada West. The change in its fortunes was due to its failure to maintain the confidence of the main body of Reform opinion in Canada West. While there was a growth of Liberal opinion and the first appearance of a significant Rouge group in Canada East, the government maintained its majority in that section. It was the new ferment of Clear Grit radicalism in Canada West that divided Reformer from Reformer until a point was reached where the moderate Reformers no longer commanded a majority in that section.

The coalition of 1854

The crisis of the Reform Party occurred on September 5th. Five days later a new basis of government had been found, and the membership of the cabinet from Canada West was considerably altered. Whereas the Hincks government was in a minority in that section of the province, the new government had the confidence of a majority. The principal items of the legislation that had been prepared by the Hincks-Morin government for the 1854 session, were taken up by the new ministry and pushed through to enactment.

The basis of the reorganization was worked out in negotiation between Hincks as leader of the moderate Reformers (Hincksite Reformers) and the Conservatives. The reconstructed cabinet was to have three Conservatives (A. N. MacNab, J. A. Macdonald and William Cayley) and two Hincksite Reformers (John Ross of the Legislative Council who continued in office from the earlier cabinet, and Robert Spence). During the next months it became clear that the reconstructed cabinet was being supported in Canada West by

all Conservatives and a large segment of Reform members. At the beginning of the Fifth Parliament (1854) there had been twenty-five Hincksite Reformers, with fourteen ultra-Reformers in opposition. By 1856 these proportions had been reversed. The moderate Hincksite Reformers in support of the government were reduced to about twelve as Reformers drifting into opposition, increased their numbers there to twenty-seven. Apparently the temporary expedient in 1854 of joining moderate Reformers and Conservatives to further effective legislation was turning out to be an uneasy alliance as the months of collaboration stretched out into years. The Conservatives, too, were having troubles with their Tory right wing. These were publicly manifested in 1856 when Sir Allan MacNab, the titular head of the party, was excluded from the cabinet, calling forth the temporary opposition of five Conservatives.

In longer retrospect the coalition of 1854 appears as a principal watershed in Canadian public life. The Baldwin and Hincks Reform Party was essentially moderate, and middle-of-the-road in orientation. In seeking to find a majority of members from Canada West in 1854, to support an administration, an alliance was established between Reformers of the centre and Conservatives of the right, leaving ultra-Reformers in opposition. In fact the long term effect of the coalition of 1854 was to split the Reform Party's ranks and to divide future party alignments in Canada West into two major parties, one on the right and one on the left. Until the early 1870's the Hincksite Reformers did not finally lose their identity in the great body of Conservatives, and continued to proclaim the ideal of coalition and maintain their identity as Reformers.

About six months after the formation of the Liberal-Conservative alliance the Lower Canadian wing of the government began to undergo a subtle transformation as G. E. Cartier and Joseph Cauchon entered the government on the retirement of Morin, Chabot and P. J. O. Chauveau. With the arrival of Cartier and Cauchon the Lower Canadian wing of the Liberal-Conservative alliance begins to have the flavour of a party of the right, and the title "Bleu" soon appears to differentiate it from the growing Rouge movement on the left.

The dynamic year 1858

The rearrangement of political groups in 1854 had ended fratricidal conflict within the Reform movement, and had set the various ultra-Reformers free to construct a cohesive discrete party of their own: the Clear Grit Party. The more advanced liberals of French Canada were in the same years creating their own distinct

party, the Rouge party. The general election of the winter 1857-1858 gave these newly forming parties a first opportunity to go before the electorate in their new guise, though neither the Clear Grits or Rouges nominated candidates in even a majority of ridings. Most ridings in Canada West saw a contest between candidates of the "left" and of "the right", but many were three-cornered contests between "left", "centre" and "right." The parties and the electorate were still not accustomed to the new polarity in political alignment. The stronger and more extensive Rouge advocacy in Canada East, for the first time really challenged the concept of one French-Canadian party, and offered in a number of ridings liberal French-Canadian candidates as an alternative to Bleu (Conservative) French-Canadian candidates.

The Clear Grits at this period were proposing a number of legal and governmental reforms including the extension of the elective principle in both municipal and provincial government, the reduction of the costs of government, amendments to judicial practice and the law that would bring a quicker less expensive justice to the common man and lower tariffs on items and foods of common daily use. They argued that public education should be available to all, and unconnected with any specific church. The Protestant voluntary principle should prevail, excluding any church from government aid or special privilege. These ideas expressed in part, a sectional viewpoint that fretted about Roman Catholic French-Canadian influence that seemed to lead government policy on the opposite tack. On the public platform this was "French domination." Some of the support for the Clear Grit movement came from the merchant community of Toronto and towns of Canada West who saw in the movement the championing of sectional viewpoints that conflicted with the interests of the Montreal business community apparently entrenched in the Liberal-Conservative Party.

By 1857 it was broadly understood that the population of Canada West exceeded that of Canada East by a significant margin, and that the discrepancy was rapidly increasing. Yet both sections were represented equally in parliament, and allowed Lower Canadian members to frustrate the enactment of highly desired Upper Canadian reforms. The remedy lay in constitutional change that would allow Canada West to be properly represented and achieve its legitimate goals by common democratic practice. This was all summed up in the slogan "Rep. by Pop.": let the people of Canada West be represented in parliament in accordance with the relative size of its population. The "Rep. by Pop." idea was first broadly urged in the 1857 general election, and thereafter was a never failing election cry at succeeding elections until the problem was solved.

The Rouge group in Canada East shared some of the same theoretical democratic and republican ideas that were at work among the Clear Grits, but their application of these ideas had nothing of the Protestant sectional bias of the Clear Grits. In Canada East they opposed the "establishment" allied with the Roman Catholic Church and the financial interests of the cities. They urged tariff reforms, planned colonization of the surplus population on new frontier lands within Canada East, and the local application of liberal ideas that were current in France. They disputed with the Bleu party the honour of embodying and continuing the *Patriote* tradition of 1837.

The results of the 1857 election showed the Clear Grits returned as the majority party in Canada West, but the Rouge party had only returned ten stalwarts to confront the thick ranks of Bleus. The opening session of the Sixth Parliament in 1858 witnessed a long and hard fought parliamentary battle, as the Clear Grits vigorously asserted the whole range of their reforming policies. Again and again the Macdonald-Cartier government voted them down, using the government's overwhelming majority in Canada East. To the minds of the Clear Grits' supporters their case was proven, Canada West *was* ruled by the smaller section, Canada Est.

In late July 1858 the tensions of the session came to a climax when the House attempted to determine the permanent location of the capital of the Province. It was an issue that cut across party lines at different angles depending upon the city designated as a prospective capital. The Macdonald-Cartier government resigned when its policy was not upheld by a majority of the House. In the decisive division a number of Bleu members voted against the government.

After various negotiations George Brown of the Clear Grits agreed to form a new government, and entered into negotiations with A. A. Dorion, the Rouge leader. On August 2nd a Brown-Dorion government was sworn into office. Its support comprised the 33 Clear Grits from Canada West, ten Rouge and another five liberal members from Canada East who crossed the House to come to their support — clearly not a majority. On August 4th, after 48 hours in office, the ministry resigned. Although the briefness of their period in office prevented them from articulating a clear policy, the members of the "Short Administration" had demonstrated that there was a basis of mutual understanding between Rouge and Clear Grit that would allow them to undertake to govern the Province. The forty-eight hours adventure in government-making and defeat re-emphasized for liberals of Canada West that "Rep. by Pop." was the only recourse in securing home rule for their section. The heat of acrimony raised by the "Double Shuffle", by which the Liberal-Conservative ministers returned

to office without standing for re-election, and the refusal of the Governor-General to grant Brown a dissolution and new general election on August 3rd, increased the frustration of the Rouges and Clear Grits in their defeat.

On August 6th, 1858, the Cartier-Macdonald government, somewhat reconstructed, resumed the reins of power for another forty-five months in office.

Deadlock

The remaining sessions of the Sixth Parliament witnessed continued in-fighting, on the lines already drawn in 1858. The solidarity of the ministerial ranks began to fray at the edges under the constant hammering of the opposition. In the summer of 1861 a new general election was called when the prospect for Liberal-Conservative success seemed bright. No new major issue was in dispute.

The new Seventh Parliament was a disappointment to both sides of the house. In Canada West the Clear Grit contingent had decreased, leaving the Conservatives and their six Hincksite Reformer allies in a majority. Apparently the electorate was somewhat disenchanted when the Clear Grit advocacy of the last years had not brought practical results. In Canada East, by contrast, the ranks of the Bleu members, though strong, were somewhat thinned, while they faced the largest representation of Rouge members yet to appear: twenty-three in number. The results of 1861 were further unsatisfactory to government tacticians for there was less solidarity in party ranks, as more members than usual voted unpredictably on the many issues that came to division in the House.

These tendencies toward relaxed party discipline came to a head on May 20th, 1862, when a major government item of legislation, the Militia Bill, was defeated by a vote of 54-61 on its second reading. Eleven Bleu members had voted with the opposition. It was possible that the Cartier-Macdonald government might have been able to carry on, for the eleven members soon returned to their party allegiance in the next weeks. The defeat on the Militia Bill was, however, taken to be a vote in want of confidence, and the Cartier-Macdonald ministry resigned.

J. Sandfield Macdonald, a Liberal from Canada West, but by no means a dedicated Clear Grit, constructed a new cabinet that was intended to appeal broadly to members of the centre and left. In associating with A. A. Dorion he hoped to secure the support of the Rouges, while Sicotte, Evanturel and T. D. MacGee would enlist other liberal opinion in Canada East. William MacDougall and Howland

represented the Clear Grits. This new Liberal government seemed to have the prospect of achieving an alliance of major elements from both sections of the Province and forming a viable alternative to the Liberal-Conservative party of Cartier and J. A. Macdonald.

The Sandfield Macdonald government survived the rest of the session, and was not challenged by its opposition to any major vote in want of confidence. If tested in this way it would probably have been found to be in a minority of several members. The Liberal-Conservatives had little prospect of achieving a working majority if they had sought to regain power in these months, for six or eight members had crossed into support of the Liberal government on its formation. Clearly, Sandfield Macdonald and both his friends and his opponents all looked to some resolution of their current *impasse* in a new general election.

The initiative lay with the government and its leader. Just a year after taking office he reorganized his cabinet in preparation for calling a new general election. Some months previously A. A. Dorion had resigned, implying some lack of enthusiasm among the Rouge members for the government's policy. Thereafter it had been in effect a Macdonald-Sicotte ministry. Now, in May 1863 Macdonald dismissed the moderate Liberals of Canada East from his cabinet and brought back Dorion, Holton, Thibaudeau and Letellier, all Rouges or advanced liberals. He then went to the polls.

The Eighth and last Parliament of the union period was elected in the midsummer of 1863. Fifty-eight per cent of the members of the new Parliament had sat in the previous House, an unusually large carry over. The election had disclosed several trends very clearly. In Canada West the Clear Grits and Liberals had an overwhelming success and returned forty members. In Canada East the Rouges and Liberals had hardly advanced, returning only twenty-four. The cabinet reconstruction had not effected its purpose. The opposition in Canada West, largely Conservatives, but with two (Hincksite) Reformers and one or two others, numbered only twenty-four or twenty-five. The Bleu party had recouped its losses of 1861 and numbered about thirty-eight. The House was now in a state of equilibrium between two major and two lesser elements that very nearly balanced each other. The balance of power in the opening session was held by just three or four uncommitted members and the results of one or two disputed elections.

The Macdonald-Dorion Liberal government survived a number of early divisions by majorities of two or three. Then because of minor changes in membership of the Assembly it began to be in a

minority of one or two. On March 29th, 1864, the Liberal Government resigned. On the following day a new Liberal-Conservative cabinet took office, including several of the J. A. Macdonald-Cartier stalwarts. The titular head was the veteran E. P. Taché. Also included were M. H. Foley and T. D. McGee, disgruntled moderate Liberals whom Sandfield Macdonald had dismissed from office in the previous May. This new ministry fared no better than its predecessor, and soon found itself in a minority of two in the Legislative Assembly.

This was the famous state of deadlock as it was reached in June 1864. Canada West had spoken decisively in the 1863 election by returning a large Clear Grit Liberal majority. Canada East had declared equally strongly in the opposite sense in returning a large majority of Bleus. Experiment had proven, after two general elections, that any combination of parties and groups of the right or any similar grouping of elements of the left were incapable of providing stable government. The discipline within party ranks was now cohesive enough to frustrate all attempts to entice members from their declared political positions.

The Great Coalition 1864

In mid-March of 1864, before the Sandfield Macdonald government was defeated, George Brown had spoken at length in the House reviewing the Province's constitutional difficulties, and had secured the setting up of a twenty member select committee of the Legislature under his own chairmanship, to enquire into and report upon the situation and to suggest remedies. By coincidence this select committee reported on June 14th, the same day that the E. P. Taché-J. A. Macdonald government was defeated in the House. The committee reported "a strong feeling . . . in favour of changes in the direction of a Federal system applied either to Canada alone or to the whole of the British North American Provinces, . . ." Here once more was the idea of federal union that had captured the imagination of thinking men in many previous generations, and had been given more currency in the preceeding decade. Now, suddenly, it might be a practical solution to current political problems. It was Brown who took the first step in finding a solution to the latest ministerial crisis, by initiating conversations with Conservative leaders that led to the formation of a coalition of Clear Grit Liberals, Conservatives and Bleus pledged to work together to bring in a federal system for Canada. Miraculously, the latest in a series of political crises leading to an ever more inflexible deadlock was resolved in an arrangement that released the parties to exercise a new dynamism, not experienced since 1849.

The creation of the Great Coalition occupied the days between June 14th, and June 30th, 1864. The Taché-Macdonald government, immediately after its defeat in the House advised the Governor-General, Lord Monck, to call a new election. Concurrently George Brown approached J. H. Pope and Alexander Morris, influential Conservative back benchers, seeking conversations with a view to some alternative solution to the crisis. By Friday, June 17th, the Governor-General had stated his reluctance to call a new general election, while John A. Macdonald and Galt were having their first formal conferences with Brown. It was on Wednesday, June 22nd, that all the negotiating had been completed, the party caucuses consulted, and ministerial explanations made formally in the House. George Brown, Oliver Mowat and William McDougall were to replace three Conservatives in the cabinet, and constitute half the cabinet's representation from Canada West. The new coalition government would seek to solve the constitutional problems of Canada through the implementation of the federal principle applied if possible to a union of all British North America. If the larger federal union was not possible they would seek to create a federal union in Canada alone. The new ministers were sworn into office on June 30th.

At first glance the Great Coalition of June 30th, 1864, might appear to be but a uniquely brilliant move in a, till then, uninspiring game of political chess. Political opponents at that time, and unsympathetic later commentators have suggested that political expediency was the principal motive. But they are wrong. The principals who entered the coalition did so at some considerable risk to their careers. The policy proclaimed by the coalition government pointed the way to the fulfilment of major long-term goals that had been pursued by the several political parties over the course of many years.

George Brown's personal situation was quite precarious, for he had taken the initiative in bridging the gap between the Clear Grit Liberals and their most ardent opponents. Of the three parties involved, the Clear Grits were least given to following uncritically in the wake of a determined leader. Although it is now established that the highest public concerns drove Brown to his action, it was very possible that his party might at any time disown him, leaving his public career in ruins. Any miscalculation in June 1864 or in the next eighteen months might seem to give the Conservatives or Bleus a political advantage, and lead to his undoing. From his point of view it was a hazardous business.

The general aims of the Clear Grit Liberals had been canvassed in 1857 and 1858. A great convention of the Reform Movement, held

in Toronto in late 1859, had, with Brown's strong intervention, hammered out a number of generally agreed goals. They would seek to implement the principle of representation by population, perhaps requiring the creation of some form of federal union. By these means they would secure control of their own destiny in Canada West, and the opportunity to benefit in opening the prairie west to settlement and economic development. As we have seen, the nature of the existing union frustrated the Clear Grits from achieving these aims by their own unaided efforts. The Great Coalition provided an agency by which these goals might be reached.

John A. Macdonald had reached a point in his career in June 1864, when he seriously considered leaving politics and returning to the private practice of law. There was a gambler's fascination about what new situation a next election might bring, but he had no bright vision of his or his party's future prospects. The Conservative party had been slowly losing ground in Canada West, and any affiliation with the Clear Grit opponents might lead directly to the extinction of the Conservatives, swallowed up in that other growing and aggressive party.

Yet the policy of the Great Coalition did open the possibility that a new constitutional arena might be created in which the Conservative party would have an important role. Many Conservatives were men of business who had long hoped to lift restrictions and set the economy of Canada West into a cycle of rapid development.

G. E. Cartier's entry into the Great Coalition was overshadowed by the possibility that the rank and file of his party would appraise his tactics as committing the French-Canadians to a full involvement with Anglo-Saxons in a situation where they would be a decreasing minority. The move to a general federation would mean giving up some of the security for language, customs and religion, that was built into the constitution of the Union. Even in the Great Coalition, the agency for change, Cartier and his French-Canadian supporters would be in a minority. He might be disowned by his people as a false leader. Today Cartier is not revered in Quebec as one of the great historic leaders of French Canada. It is considered that Dorian's policy of fighting the Great Coalition and all its works, was a much sounder policy in 1864 than the one pursued by Cartier.

The ideas of a general union of British North American colonies, and of realizing the economic potential of opening the prairie west had been pursued in 1857 and 1858 by the Liberal-Conservative government when positive action seemed likely to achieve some

success. Chief Justice William Draper had been sent to England in 1857 to uphold Canada's claims to Rupert's Land and the Northwest before a select committee of the British House of Commons enquiring into the future of the Hudson's Bay Company. In 1858 A. T. Galt had been brought into the Cartier-Macdonald ministry on condition that the government would press vigorously for British North American union. On a mission to England Cartier and Galt had these plans uncompromisingly vetoed by the Colonial Secretary, who believed that the union would not be acceptable to the Clear Grits, and would fall in the midst of bitter partizan wrangling. After this date the Liberal-Conservative tariff policy implemented by Galt, and the ministry's assistance in projecting the Intercolonial railway and telegraph communications to Rupert's Land indicate a readiness to sponsor policies that would strengthen Canada's economic position and create communications linking Canada with British lands to the east and to the west. The years 1859-1864 offered few opportunities for heroic nation building projects. The policies of the Great Coalition coincided with the general direction of Liberal-Conservative aims.

It can be safely concluded that the principal motives that led to the creation of the Great Coalition were not personal aggrandizement or the seeking of short-term tactical success in the political battle. The Great Coalition was created to achieve large long-term goals that had been under active consideration in all three major political parties for several years. The Great Coalition was a brilliant inspiration that rescued Canadian public life from frustrating deadlock.

The fortunes of the Great Coalition

The discussion of the effectiveness of the Great Coalition ministry in achieving its goals belongs to the large theme of the creation of the Dominion of Canada. That theme has been developed elsewhere in this series of booklets, and in a number of larger studies. The Great Coalition itself was a political phenomenon, and its origins and formation have been presented here in the setting of the evolution of political parties and their changing alignment. It now remains a duty here to indicate the last developments before the implementation of Confederation in 1867.

The pact between Clear Grits, Conservatives and Bleus concluded in June 1864, was scrupulously honoured by all parties, who worked effectively as a team and achieved their goals. However, the memory of two or more decades of party contests and strife could not suddenly die away in the weeks after June 1864. No member of the pact had

thought of abating the full aspirations of his own party once the coalition had achieved its goals and all took care that their future prospects were not dimmed by present actions.

Although the Great Coalition was a temporary pooling of talent to achieve a limited aim, the day-by-day unfolding of the drama of its formation left the impression that the Taché-Macdonald government, though defeated in the House, had retained its continuity in office. The Clear Grits under George Brown were added, somehow, to a Liberal-Conservative government in being. In practical worldly affairs the weak are drawn to join the strong, and the weak unit is often absorbed by the strong unit. As the activity of the Coalition ministry was discussed publicly and defended in the House there was a tendency to treat their activity as the work of a "coalition party." Thus the Clear Grits who entered the coalition from strength were under the threat of losing their identity in a new coalition party wearing a Liberal-Conservative image.

Brown became progressively more aware of the threat to his own and his party's Liberal image implicit in their circumstances after June 1864. Once the principles of the federal union were safely past the Canadian provincial parliament it was possible for him to turn to the mending of his political fences. When on tour in the Maritime provinces in 1865, on confederation business, he made approaches to leading Liberals there with an eye to creating a federal Liberal Party. In late December 1865 he took strong exception to Galt's handling of a mission to Washington to deal with the Reciprocity Treaty question. He took the occasion to resign from the cabinet, but continued to support any business in the House that bore directly on the achievement of Confederation.

A Clear Grit group was active as a separate entity in the last session of the Union parliament in 1866 and their motions and advocacy had again the ring and spirit of the party in the late 1850's. They supported some of the motions proposed by the Rouge opposition. Thus, while three Clear Grit Liberals still sat in their places in the cabinet continuing the form of the Great Coalition, others of the same party were beginning to act in opposition to the government in non-Confederation business.

The Great Coalition did not end with a formal dissolution. In preparing for the first federal general election the (Clear Grit) Liberals held a party convention in Toronto that declared the coalition pact at an end, for its goals had been achieved in the creation of the Dominion. The convention listened coldly to the

explanations of the Liberals who still held cabinet office. A new Liberal election platform was worked out, and organizing activities were pressed on to field a slate of Liberal candidates in most Ontario ridings.

From the Liberal-Conservative point of view it was good politics to preserve as long as possible the idea that the federal government was identical to the non-party Great Coalition. In the first federal election most Liberal-Conservative candidates in Ontario were put forward as coalition or national candidates. The contests in Quebec federal ridings were little affected by the coalition idea, for the Rouges had opposed Confederation consistently. Here the contests lay between a Rouge and a Bleu candidate in about thirty-four ridings.

The Great Coalition had done most of its essential work by December 1865 when Brown resigned. After the proclamation of July 1st, 1867, no one could be required in honour to respect any continuation of the coalition pact. By the time of the second federal election in 1872 the Liberal-Conservatives had ceased to use "coalition" as a badge.

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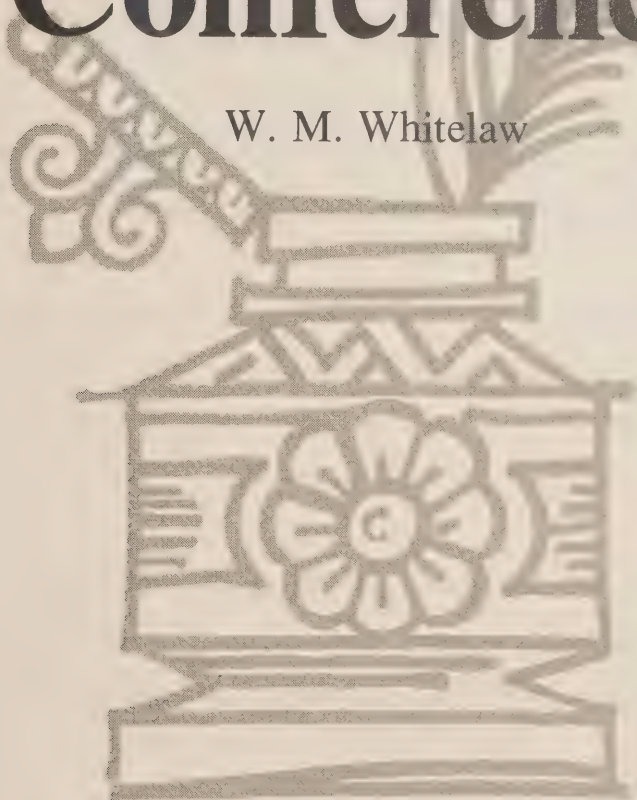
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The Quebec Conference

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The Quebec Conference

W. M. Whitelaw

W. M. WHITELAW

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THE QUEBEC CONFERENCE

Although the Quebec Conference apparently began where the Charlottetown Conference left off, there remained throughout both these constitutional conferences wide divergence of opinion as to what, precisely, had been achieved at Charlottetown. The very conversational and informal character of the maritime discussions undoubtedly contributed to this confusion, as did the fact that not all the delegates to Quebec had been at Charlottetown. Notable among the latter, in fact, was the chairman of the Quebec Conference, Sir E. P. Taché, who was therefore quite unable to mediate the numerous arguments as to what had or had not already been decided.

It will be recalled that, although the delegates from Nova Scotia, New Brunswick and Prince Edward Island had gathered at Charlottetown on September 1, 1864 to consider the "expediency" of a legislative union of the three provinces, scant attention had been given to this subject at the conference. When word of the proposed maritime conference had reached the Canadian coalition government in July, they saw an unexpected opportunity to secure the adhesion of the maritimes to their contemplated grand federation of all British North America, and asked to be allowed to send a delegation to the conference. Their request was readily granted, and from the time the Canadian deputation arrived at Charlottetown, the maritime delegates had seemed more than willing to adjourn their discussion of maritime union in favour of sitting back and listening while the Canadian scheme of a grand federal union, possibly to include themselves, was expounded. The maritimers found themselves carried along on a mounting emotional tide. Here was a plan that would allow each of the maritime provinces to retain all its own cherished political institutions, while elevating the political stature of all three, and yet allowing them to remain within the secure and comfortable ambit of the British Empire. The Canadians in their turn lost no opportunity to appeal to the latent loyalty ever endemic in the maritimes. They found, in fact, that such patriotic appeals were particularly well fitted to perorations following the public banquets with which the Charlottetown meetings were amply interspersed.

It is not difficult to imagine that, in such an atmosphere, general and obvious enthusiasm for federation may have been misinterpreted as agreement on details. In any case, the Canadians were so delighted with their reception at Charlottetown that John A. Macdonald (later Sir John) shortly announced that his executive council would advise the governor general, Lord Monck, to call for the appointment of delegates from the three maritime provinces as well as from the

remote colony of Newfoundland to meet with the Canadian cabinet at Quebec on October 10 to discuss in greater detail, and hopefully to draft a constitution suitable for the proposed federation. The Canadians had from the start made it abundantly clear that the maritimes were to be left free to decide whether they would enter the proposed union as a single united province or as three separate provinces, or even whether they might amalgamate after entering the federal union. Thus the maritimers felt no immediate need to decide the question of maritime union before turning their attention to the subject of a large federation; in fact, the maritime delegates evinced a decided aversion to the passing of any judgment on maritime union whatsoever. Accordingly, the Charlottetown Conference remained in adjournment during most of the sessions of the Quebec Conference until its own long-delayed final adjournment at Toronto on November 3, a full week after the closing of the Quebec Conference.

It is quite clear that the Canadians at Charlottetown had developed in broad outline a proposal for the union of all the British North American provinces of which the most conspicuous features were: continuing loyalty to the British crown; the residuum of power resting with the central government; a bicameral federal legislature with representation in the lower house based on population and in the upper on regional, but not provincial, equality; the operation of responsible government in both the local and federal fields; and the appointment of a governor general by the crown. Other matters were discussed, but on these alone there seemed to have been substantial though informal unanimity. That some of the unanimity was more apparent than real became evident at Quebec, where there were some heated discussions on one or two of these items.

The best account of the proceedings at Charlottetown is contained in a long confidential despatch by Lieutenant-Governor Gordon of New Brunswick to the Colonial Office dated Sept. 12, 1864. This despatch was based on discussions with the various delegates, especially the Canadians. Gordon, an ardent opponent of the federation of all the provinces, and the prime mover of the scheme for maritime union, had been at Charlottetown. When the Canadians later visited Fredericton on their way home, Gordon invited Cartier, Brown and Galt to be his guests, and he was thus able to get further information on the progress of the discussions. Among the features of the federation which Gordon described were the detailed subjects which the Canadians proposed should be given to the central government. The striking similarity between this list and that introduced into the Quebec Conference by John A. Macdonald, not only in content but even in arrangement, makes

it difficult to think that the Canadian plan had not already been reduced to writing, and that Gordon had been shown this detailed scheme. He also explained that the Canadians proposed that in the federal legislative council Upper Canada should be represented by 20, Lower Canada by 20, and the three Maritime Provinces taken together by 20 members.

When the delegates came to Quebec in October, the main principles of Confederation had therefore been explained and generally accepted. The homework of the Canadian delegation and the preliminary meetings at Charlottetown enabled the "fathers of confederation" at Quebec to complete their work in a remarkably short time.

It may be useful to review briefly the major factors that were responsible for these constitutional conventions, and for the sense of urgency about their proceedings. Two forces, one international and external, the other constitutional and internal, conspired to make the time ripe for action. The external force was, of course, the American Civil War, which had placed a strain on British-American relations, and consequently, on relations between the United States and those British possessions that lay on America's northern doorstep. The existing tension roused fears among British North Americans, and particularly among the Upper Canadians, who were at once most exposed and whose domain seemed most desirable, fears ranging all the way from possible economic reprisal, including abrogation of the Reciprocity Treaty of 1854 and repeal of the free bonding privileges for goods crossing American territory en route to European markets, to possible physical aggression once the Civil War had ended. Hence, the fear of possible annexation to the United States was in 1864 one of the major forces driving provincial leaders towards union.

But there was also an internal force pushing in the same direction; again, especially in the Canadas. There a thoroughly inadequate constitution had been operating with increasing difficulty since 1840, when Upper and Lower Canada had been welded together in a close legislative union which had turned out almost as unhappily as a Siamese twin relationship. When this union had degenerated to what was apparently to be a permanent deadlock, some form of federalism had seemed to offer a solution, and to this end a coalition had been formed in the previous mid-summer. It had been decided that the government would first try to form a federal union of all the British provinces, failing which, it would revert to the more limited scheme of federating the two Canadas alone, which had originally been the preference of Upper Canadian Reformers. The opportunity presented by the Charlottetown Conference had been seized and the

results had been most satisfactory, but the gains must be consolidated without delay. Early in the approaching year the Canadian coalition cabinet would have to face the representatives of the people in the Canadian assembly, where an adverse vote would force the resignation of the entire cabinet, in which all the Canadian delegates to the conference held portfolios.

No such urgency in regard to constitutional change prevailed in the maritimes, where the machinery of government had been operating with reasonable efficiency, though there seemed to be more of it than was needed. An eminent British author had once described the governments in these small and scantily populated provinces as resembling Westminster seen through the wrong end of a telescope. Everything was there, but all in miniature, and it was all expensive. Constitutional factors therefore provided little impetus in the maritimes for federation, but lack of enthusiasm on this point was perhaps compensated for by the prospect of an intercolonial railway, which it was assumed would be a part of any union agreement.

It was little less than a stroke of genius that had led the Canadian coalition government to select Quebec as the site for their epochal conference which was aiming to unite all the scattered provinces of British North America. The meetings were held in a government building temporarily being used by the Canadians pending completion of the permanent parliament buildings at Ottawa. Perched on the very brow of the famous Quebec escarpment facing the mighty St. Lawrence this unpretentious brick building had been built on the site of the more ancient palace of Bishop Laval, pioneer founder of educational institutions for the promotion and preservation of French and Christian culture in the New World. On this same site was later to be built the much better known Chateau Frontenac, commemorating in name the valiant French struggle for military control of the St. Lawrence-Mississippi valleys, so nearly linking, diagonally across the continent, the Gulf of Mexico with the Gulf of St. Lawrence. And just behind this historic spot, and partly hidden from view, lay the equally famous "plains" on which in 1759 had been fought the epoch-making battle which was then thought to have finally determined the ultimate political destiny of North America.

The importance of these historic associations was matched by the magnificence of the view from within the conference chamber. Along the northeast side of the room were three large romanesque windows looking down upon and out toward the ever broadening estuary of the great river. In the immediate foreground lay the cultivated fields of the island of Orleans; while on the river's right bank lay the forested but smoothly-rounded domes of the ancient Appalachian highlands

whose geological sediments date far back into pre-Cambrian times, and whose southern terminus was to be found in distant Alabama, and its eastern, in the higher and more impressive Notre-Dame range in Gaspé. This lofty range isolated the Canadians of Lower Canada from their kinsmen, the Acadians of northern New Brunswick. Against the left bank of the river pressed the southern edge of the Laurentian highlands composed of even more ancient rock interspersed with patches of equally ancient sediments as well as innumerable small glacially produced lakes, a formation known as the Canadian Shield, extending in a mighty up-turned arc across Hudson Bay from Ungava on Hudson Strait northwest through Keewatin toward the Arctic Sea.

Here, then, lay open to view much of the geography and equally much of the history of the vast domain for which the fathers were now to attempt to devise a suitable constitutional garment. Here, as perhaps at no other location in North America, was a scene to stretch the historic imagination of even the most myopic, and to stir the blood of even the most lethargic.

One thing, only, marred the otherwise ideal setting for the Quebec Conference and may have had an important though imponderable effect on the proceedings, that was the unseasonable weather. Usually clear and crisp in late autumn, it had in 1864 been persistently cold and wet. This tended to keep the delegates indoors where they became virtually a captive audience and may have contributed to the irascibility and querulousness which reached a climax during the discussion of financial arrangements toward the end of the conference.

Since all the delegates to Quebec were mature politicians, it might be well to examine some of the basic cleavages which then separated the two rival political parties in British North America. The members of one of these regularly called themselves Conservatives, more rarely Tories. Occasionally they were called *Bleu* in Lower Canada. The other party had several names: Reform was a particularly North American term, although the older traditional British designation, Liberal, still survived. Among the more extreme, Clear Grit was used in Upper Canada as was *Rouge* in Lower Canada, whereas Radical was mainly a term of reproach. Unlike party cleavages in Britain, however, these divisions were quite likely to be based less on antithetical political philosophies, and more on expediency or personal compatibility.

Nevertheless, the old world distinctions had somehow, although in rather nebulous form, managed to survive the Atlantic crossing. Speaking in the broadest terms, the Conservatives tended to concentrate their thinking on the state. So much so, in fact, that service

to the state was ranked by them among the highest of social virtues. The Grits, on the other hand, tended to exalt the individual. Thus, while the one stressed loyalty and duty to the state, the other emphasized liberties and rights, usually interpreted as freedom from state interference in one's private affairs, but also including the obligation of the individual to help in creating and moulding the institutions of government. The Conservatives viewed the state as an organism with a life of its own, "Who dies if England lives?"; whereas to the Reformers, particularly the more extreme, the state was a mere mechanism whose only function was to serve the welfare of the individual. Not that either of these rival parties would have been likely to have voiced its political creed in any such philosophical terms. Indeed, there was on both sides, but perhaps more particularly among the Conservatives, a positive aversion to doctrinaire credos which were felt to indicate a leaning toward either pre-revolutionary French "philosophes", or toward contemporary American doctrine of rights, both of which were still anathema.

Early in the nineteenth century, the Conservatives supported the Establishment, although that term did not reach the New World until much later. They exalted the Church of England and its clerics, the United Empire Loyalists, and, of course, the Crown and the British connexion. In government they had favoured a combining of legislative and executive councils in which provincial judges, always appointed by the Crown, regularly held dominant positions, thereby uniting rather than separating Montesquieu's three branches of government. Their procedural model was the British House of Lords. The Reformers, on the other hand, were generally anticlerical and had fought, not entirely unsuccessfully, for more provincial autonomy, an expanded franchise, and for the election of government officials and the expansion of the functions of elected assemblies; their model was the British House of Commons. They had been largely instrumental in achieving for all the provinces what had come to be known as "responsible government", similar in its *modus operandi* to what the British called "cabinet government" in which the executive is always removable by an adverse assembly vote.

The prevalence of "little Englandism" at the mid-century had had significant influences on both these parties. For the Tories it resulted in a strong urge so to strengthen the British dependencies that these might be viewed in Britain as more worth retaining. As for the Reformers, they found themselves in the position of needing to perform an almost complete about-face on the question of colonial autonomy which heretofore had been one of their chief platform planks. Now that the British government had become so insistent on linking self-

defence with self-government, full autonomy might turn out to be a positive liability. Hence, the Reformers tended to join the Conservatives in extolling the British connection, the retention of which might eventually save the provinces from vast and unpredictable military expenditures. The British connection was, therefore, at this juncture, a subject rather too hot to handle. The phrase might be retained in modulated tones while its implications were carefully avoided. This curious situation may help to explain some of the wording of the Quebec Resolutions as well as some of the obvious omissions.

Much has been made, by both historians and politicians, of the fact that among the provincial delegates to both the Charlottetown and Quebec Conferences were outstanding representatives of both these rival parties. The fact is, however, that, while the Reformers had regularly ridden into power in the late 1840's on the wave of the successful establishment of responsible government, by the early 1850's the political pendulum had begun to swing back, so that by 1864 hardly a single provincial government was still controlled by the Reformers. The reason for this Reform debacle can not be gone into here. Suffice to say that among the delegates from each province, except in the case of New Brunswick, the majority were Conservatives. The government of Taché-Macdonald was, of course, predominantly Conservative and was represented at Quebec by its entire cabinet which meant that it was obliged to act in unison when meeting in conference sessions. In New Brunswick the Reform party was still nominally in power; but reform in New Brunswick had never had the radical quality that it possessed in the other provinces. Moreover, a successful reformer can only with difficulty remain in power without losing some of his reforming zeal; and in 1864 premier Tilley had been in power for nearly a decade. The governments of the other two maritime provinces of Nova Scotia and Prince Edward Island were Conservative and sent a majority of Conservatives to these conferences. Newfoundland sent one member of each party to Quebec. The dominant position of the Conservatives at the conference was further enhanced by the fact that the voting was to be by provinces and Canada was to be considered as two provinces rather than one. Nor did it detract from their dominance when it was decided that the Canadians should prepare the draft resolutions for each day's agenda. In this connection it is perhaps worth noting that it was Macdonald's private secretary and future brother-in-law, Lieutenant-Colonel Hewitt Bernard who was chosen executive secretary of the conference. It is still on Bernard's notes of the proceedings that we are dependent for much of our information about what went on at Quebec.

Too much, however, should not perhaps be made of this technical ability of the Conservatives to swamp their Reform rivals in voting at Quebec, although even a casual reading of the resolutions passed at the conference makes it quite evident that the decisions arrived at were predominantly in accord with Macdonald's basic Conservative principles. We simply do not have the documents to show how often the delegations in their frequent caucuses preceding a vote were split along party lines. The general mood of the conference would seem to cast some doubt that this type of cleavage, so strong in provincial politics, actually did prevail. If the seventy-two resolutions produced by the delegates to Quebec seem to bear the clear and unmistakable imprint of Conservative origin, the explanation probably lies not so much in sheer weight of Tory votes as in the compelling exigencies of 1864. In the longer perspective of history, Canada's highly centralized constitution may be chargeable more to American pressure than to Macdonald's superior strategy.

On the opening day of the Quebec Conference all the delegates took their seats around the conference table almost as depicted by Robert Harris in his famous painting of the "Fathers of Confederation". Grouped in the center and dominating the painting as they did the conference were the leading members of the Canadian coalition who had attended the Charlottetown Conference. To this central core Governor General Lord Monck had now added the four remaining members of the Canadian cabinet, making twelve in all.

At the head of the cabinet, at least nominally, sat the veteran French Canadian, Sir E. P. Taché, Conservative from Lower Canada. With his equanimity of temperament, and in spite of his ninety years, he was the obvious and inevitable choice for chairman of the conference. His death the following summer, however, prevented him from witnessing the fruition of the work of the conference.

Throughout the Quebec Conference, as at Charlottetown, John A. Macdonald stood head and shoulders above his Canadian colleagues. It is essential, therefore, to examine some of his basic convictions and policies. Although Macdonald's great strength lay in the consistency with which he had adhered throughout his life to certain Conservative principles, he was never a mere reactionary. In fact, he carefully avoided becoming involved in political battles that had already been lost. Fundamental to all his political activity was his intense loyalty to the British Crown. He had imbibed this loyalty almost from childhood; and this had been reinforced by the fact that he had been reared in a region of Upper Canada first settled by United Empire Loyalists. For reasons not difficult to understand, strong loyalty to

Britain tended to be accompanied, as it was in Macdonald, by suspicion of, if not actual hostility toward the American Republic to the south; feelings which were far from being assuaged by the American Civil War still raging fiercely during the sittings of the Quebec Conference. Macdonald was quick to take advantage of this situation by pointing out the "present isolated and defenceless position" of the provinces that could be remedied only by federation; and what better argument for a strong and highly centralized federal government than the "mistake" made by the American founding fathers in leaving residual powers, involving virtual sovereignty, with the states; a circumstance which Macdonald felt had eventually led the southern states to feel justified in seceding from the union.

The leading Reform member of the Canadian coalition was George Brown, also of Upper Canada. Although Brown was editor of the *Toronto Globe*, the most influential journal in Upper Canada, and commanded wide popular support among his constituents, he lacked much of Macdonald's ability to secure the personal devotion, amounting at times to discipleship, of other political leaders. Indeed, Brown and Macdonald were temperamentally, as well as politically, poles apart, and had a hearty dislike for each other. However, they shared several deep and abiding convictions. Both were of Scottish origin; both were in varying degrees Presbyterian; and despite Brown's earlier leaning toward the American way of life, the reputation for which he had not yet entirely sloughed off, both were at this time completely devoted to the British connection, though Brown did not parade that fact as did Macdonald.

Brown's chief panacea for the undoubted inadequacies of the Canadian constitution had been a quite limited federation of Upper and Lower Canada with representation by population, or "rep by pop" as it was called. But once he had been persuaded to attempt the federation of all the British North American provinces, Brown's position was hardly distinguishable in essentials from that of Macdonald. However, one can easily imagine that there must have been great emotional strain on both these statesmen at Quebec, particularly on Brown, as he found himself daily obliged to stand in support of his lifetime political opponent whose policies he had heretofore so vigorously denounced.

Another Conservative member of the coalition who was an active participant at Quebec was Alexander Tilloch Galt, Canadian Minister of Finance. Formerly commissioner of the British-American Land Company, Galt was interested in this grand union of the provinces partly because of the influence it might be expected to have on land values and on railway construction. His vital interest in securing

financial backing for the further extension of the Grand Trunk Railway, of which he had long been a director, from the St. Lawrence across the lofty Notre-Dame range to Halifax, made a strong appeal to the maritime delegates who frequently showed more interest in the extension of the Intercolonial Railway than in the political adhesion of their people to those of Canada. Quite fittingly Galt was appointed as the first federal Minister of Finance, since it was he who was chiefly responsible for proposing and justifying the complicated economic arrangements set down in the Quebec Resolutions which became the basis for the British North America Act of 1867.

George E. Cartier, Conservative Attorney-General of Lower Canada was one delegate who was old enough to have taken an active part in the abortive rebellion of 1837. Although he had marched out from Montreal with musket on shoulder looking for some representatives of her gracious and youthful majesty, he made no such encounter, and lived to become one of Victoria's most devoted servants and admirers. It is interesting to note that Macdonald, during that same outbreak, had joined the Loyalist militia; yet thirty years later we find Macdonald leaning heavily on Cartier for Lower Canadian support in securing a federation of all the provinces. This support he had. But Cartier, on formation of the coalition the previous June, had felt sufficiently strong in the devotion of his Lower Canadian constituents and in the support of the powerful Catholic hierarchy to reject any idea of reinforcing his political position, as Macdonald had reinforced his, by inviting the adhesion of even a single member of the *Rouges*. Cartier, in fact, seemed to feel no need for additional support from either his political allies or opponents; and what he did not feel he needed, he did not get, as the violent opposition to federation of so many of the *Rouges*, both French and English-speaking, in the Canadian assembly debates of the following year was amply to demonstrate.

Oliver Mowat and William MacDougall were the two Reformers who with George Brown joined Macdonald's coalition government. Mowat's training had been in the law; he had, in fact, received much of that training in Macdonald's law office in Kingston, Ontario. Although differing radically in political views, the two retained cordial personal relations. Mowat had already made a reputation for his legal skill. At Quebec he moved and was no doubt influential in formulating several important resolutions including the one listing the powers of provincial legislatures, in the defence of whose autonomy he remained active throughout his life.

William MacDougall, like Mowat, had been reared in Upper Canada. He was the editor of the Reform *North American*, later

absorbed into George Brown's *Globe*. MacDougall, in line with his philosophy, was in favour of election of members to the Upper House of the proposed legislature; but he was unable to turn the strong tide in favour of appointment by the Crown.

Of the remaining members of the Canadian delegation, Thomas D'Arcy McGee, Conservative from Montreal, deserves some mention. Like Cartier, McGee had performed a complete political right-about-face. He began his journalistic and political career in Ireland as an ardent supporter of Irish rights, but he later turned against his associates and denounced the secret Fenian brotherhood. He became one of the most eloquent advocates of the necessity for a great new British-Canadian nationality. This so enraged the Fenians of Montreal that on the night of April 10, 1868 as he returned to his home from addressing the House of Commons, he was shot in the back by one of their member. Always interested in conciliation, at the Quebec Conference McGee moved, with reference to the resolution on education, the important rider designed to guarantee protection of the "rights and privileges which the Protestant or Catholic minority in both Canadas may possess as to their denominational schools" at the time of union.

Delegates at Quebec from the maritime provinces, unlike the delegation from Canada, in no case consisted of any one entire provincial cabinet. Six additions to those present at Charlottetown had been made: two each to the New Brunswick and Nova Scotian delegations, and two from Newfoundland which had not been represented at Charlottetown. In all cases there were members of both government and opposition, but with the Conservatives in a preponderant position in the Nova Scotian and Prince Edward Island delegations.

Dr. Charles Tupper (later Sir Charles) was Conservative premier of the proud province of Nova Scotia. Tupper had originally favoured maritime union; but at some unspecified time after the opening of the Charlottetown Conference, he had apparently made a pact with John A. Macdonald to support an all-inclusive union. This pact was to endure, even during the trying times following the Quebec Conference when it seemed in the maritimes that the cause of the grand federal union was irretrievably lost. One sign of Tupper's greatness, like that of Macdonald, was his ability to retain the Reform opposition delegates, A. G. Archibald and Jonathan McCully, in support of the Quebec scheme even when, later on, the genius of Joseph Howe, Reform leader who was unable to attend the Quebec Conference, seemed about to submerge any politician having the temerity to persist in advocating what Howe denounced as the "botheration scheme".

It has remained more difficult to determine the role of the New Brunswick delegates at Quebec. The government was nominally Reform at the time of the conference and there were ostensibly only two Conservatives among the seven delegates. But even the attitude of the premier, Leonard Tilley (later Sir Leonard) remains unclear (only partly due to the failure of the literary executors of this outstanding figure in Canadian history to make the Tilley papers available to the public as was done with respect to Macdonald, Galt and Brown).

At Quebec Tilley spoke staunchly in favour of the grand federation. He appears also to have been mildly in favour of maritime union. As an important drug merchant located in New Brunswick's commercial metropolis of Saint John, his special ability, like that of Galt, lay in the field of finance. At Quebec, Tilley was partly successful in securing better financial and economic terms for his railway-burdened province.

The two members of the Conservative opposition from New Brunswick were Edward Chandler and Col. John Hamilton Gray. At the conference, Chandler, although ostensibly a Conservative, emerged as the most fervent advocate of the maintenance of strong provincial legislative bodies within the proposed federation. In this, of course, he ran counter to Macdonald's view that the provinces should be reduced practically to municipal status.

After an initial statement in favour of federation by Conservative T. H. Haviland who, incidentally, had not been at Charlottetown, Prince Edward Islanders disapproved of almost all the major resolutions at Quebec. They objected to the method of choice of members of the proposed Upper House; they objected to the number of representatives to be assigned to them in both the federal Upper and Lower Houses; they objected to the financial arrangements; and they leaned toward local autonomy against the strong centralizing tendency of the Canadas. Unlike New Brunswick and Nova Scotia they were supremely indifferent to the lure held out by Macdonald of the completion of the Intercolonial Railway.

It is perhaps significant that among the Island delegates the strongest support for federation, both during and following the conference, should come from the Irish born Edward Whelan, publisher of the *Examiner*. Like his compatriot, Thomas D'Arcy McGee of Upper Canada, Whelan had stressed the need for the creation of an ardent nationalism that would embrace all the inhabitants of British North America. But he died December 10, 1867, a few months after confederation was effected without the adherence of Prince Edward Island, which did not become a part of Canada until 1873.

A. A. Macdonald, recently elected to Prince Edward Island's new legislative council, performed an important service by taking notes of the proceedings at the meetings of the conference. These notes serve as a valuable supplement to those of the executive secretary of the conference, Hewitt Bernard. Macdonald also made a clear statement of his province's rather disdainful attitude toward the whole union proposal, especially with regard to the financial settlement.

One of the Island delegates appointed to Quebec, the Hon. Daniel Davies, M.P.P., although understood by the lieutenant-governor who had just appointed him to have left with his colleagues, never reached Quebec. It has now been revealed that this semi-father of confederation was on the point of boarding the Canadian steamer, *Queen Victoria*, when he was dissuaded by his expectant wife. How the hawk-eyed journalists swarming the Lower Town docks at Quebec and the equally inquisitive historians in the following century, including, alas, the present writer, could have missed this choice bit of trivia is somewhat difficult to understand.

The position of Newfoundland's delegation at the Quebec Conference was somewhat anomalous. The colonial governor having left St. John's for England, and the new governor not yet having arrived, the delegates had been selected and their credentials made out by the colonial secretary, R. Carter, who was administering the government in the absence of the governor. Although the Newfoundlanders were present and participating from the opening day of the conference, they were not formally admitted, according to A. A. Macdonald, until October 17.

The Newfoundland delegates were F. B. T. Carter, leading Conservative and speaker of the island's assembly, and Ambrose Shea of the Reform opposition from the same body. Both had been born in Newfoundland. Bitterly opposed in island politics, these two delegates presented a united front at Quebec, and both spoke most favourably of the advantages that would accrue from Newfoundland's inclusion in the Canadian scheme. On returning home, however, they quickly discovered that public opinion on the island was almost solidly against the idea. Newfoundland did not, in fact, consent to join the Canadian federation until 1949.

Taken as a whole, there was among the delegates a preponderance of those of Scottish origin, with those of Gallic extraction ranking next. There was, however, this significant difference between them that, whereas most of the Scots had been born in Scotland, not one of the French Canadians had been born in France. Only from Prince Edward Island was the proportion of native born at all comparable to that in Lower Canada.

The fathers at Quebec fairly accurately reflected the characteristics of contemporary British North American politicians. Compared with those of a later date, there was an exceptionally large proportion of professional journalists and a correspondingly smaller proportion of men trained in law. This may perhaps explain the lack of any evidence that the fathers, despite their undoubted practical experience, had read any of those contemporary English political philosophers who were in the midst of reshaping political thought. There is no hint that their minds had been touched by the pioneer thinking of Jeremy Bentham, J. S. Mill or John Austen, much less by the classical works of Locke or Montesquieu. They remained steeped in mid-nineteenth century British North American conditions. They were basically political apprentices, not scholars. They all spoke the same constitutional language with the same emotional overtones. For this very reason, they were able to push forward and produce in little more than a fortnight seventy-two resolutions which with little change were to form the basis for the British North America Act of 1867, which may still be considered as Canada's only written constitution.

Hardly had the Quebec Conference become organized than Macdonald rose to present the first resolution. He used the occasion to deliver a lengthy key-note speech, which contained little that he had not already expatiated upon at Charlottetown. Macdonald stressed the necessity of taking the British constitution as their model, so far as circumstances might permit, in forming their proposed federal union. He was equally insistent that they must carefully avoid the great "error" made by the American founding fathers when they reserved to the individual states all powers not specifically assigned to the central government, thus leaving sovereignty on the periphery instead of at the centre. While the provinces could not aspire to ultimate sovereignty, which must remain in Britain with the Queen, Lords, and Commons, such power as the provinces might attain must be placed securely in the central government of the new federation. Copying the British model, Macdonald felt, would also aid in binding the provinces to the mother country. So frequently throughout the conference did Macdonald hark back to this theme, that one is left wondering whether the phrase "the well-understood principles of the British constitution" was for him more of a pass-word or shibboleth than a positive archetype.

Certainly, throughout the conference proceedings, the British constitution remained a will-o'-the-wisp, always luring but seldom guiding. One basic reason for this became quite evident almost from the start. On at least one thing all the Quebec delegates seemed to agree. Conditions in British North America were such as to require

a federal type of union. This basic fact was embodied in the second of the Quebec resolutions, which was moved by George Brown and passed unanimously, to the effect that the federal system best adapted to the circumstances would be a general government to deal with matters of common interest, and local governments for matters of particular and local interest. But in accepting this resolution the conference had already departed from the British model, for the United Kingdom was, and had always been, a legislative, and not a federal union. True, Macdonald would have preferred such a legislative union; and there is reason to believe that he hoped by strengthening the central at the expense of the provincial governments to succeed in making the proposed union virtually a legislative union. Consequently, Macdonald never seemed to consider what adjustments would have to be made in applying British constitutional principles to the peculiar requirements of a federal type of government for British North America.

This problem came to a head in attempting to constitute a federal Upper House or Senate. Macdonald, interested in preserving the strength and prestige of this body, proposed that a relatively high property qualification for Senate membership be required. He proposed, and the conference after some argument agreed, that unencumbered ownership of real property, held in freehold tenure and worth at least four thousand dollars, be required. This was reminiscent of the property with which the Constitutional Act of 1791 had endowed some Canadians in an attempt to create a landed aristocracy in the New World to replace the aristocracy of lineage of the Old. This abortive British attempt to establish a landed aristocracy was, in its turn, reminiscent of the somewhat similar attempt by France to establish the feudal seigneurial system in New France. Both attempts had failed, and for much the same reason, namely, the preference of any New World aristocracy for residence in the Old.

Agreement on the appointment of senators for life by the Crown was reached with relatively little debate. It was rather the numerical distribution of the members of the Senate that caused the most heated and prolonged controversy. Although it was generally recognized that the British House of Lords, in addition to its ancient judicial functions, was expected to give stability and second thought to the possibly hasty actions of the Commons, it soon became apparent at Quebec that some of the delegates, especially those from Prince Edward Island, were looking to the proposed Upper House to perform the distinctively federal function of protecting provincial rights on the principle of the United States Senate. A. A. Macdonald of Prince Edward Island argued that each province should have equal

representation, since each province would be giving up the same amount of local autonomy. It was, he thought, understood that, while the Lower House should have its number based on population, the smaller provinces should be equally represented in the Senate, since it would be the guardian of their rights and privileges. In his notes, A. A. Macdonald plaintively records that his proposal was simply "not entertained". The solution, as finally adopted with Prince Edward Island dissenting, was based on so-called "sectional" equality. Canada was to be treated as two sections, and the three maritime provinces of New Brunswick, Nova Scotia, and Prince Edward Island as one, each section to have twenty-four representatives in the Senate. Newfoundland was to be treated separately and given four members. With the Canadians having forty-eight senators as against their twenty-four, sectional equality did not look very equal to the maritimes, especially when the twenty-four were divided three ways among the three provinces, ten to New Brunswick, ten to Nova Scotia, and four to Prince Edward Island. Numerically, this distribution corresponded roughly to what might have been expected if the distribution had actually been based on population. Obviously, as constituted, the Senate would be in no position to perform the federal function. Indeed, the federal Upper House as constituted was adapted to fulfilling neither the British nor the American function, but fell awkwardly between them.

The first members of the Canadian Senate were to be chosen from the existing provincial Legislative Councils, with the requirement that all political parties be fairly represented. No stipulation, however, was made for the perpetuation of this non-partisan senatorial distribution, and Macdonald himself, who was Prime Minister of the new Canadian federation for most of the remainder of the century, in making subsequent Senate appointments, raised only a single Liberal to the Upper House.

The constitution of the federal Lower House caused much less difficulty, except that again, Prince Edward Island delegates were not satisfied with the five out of the total one hundred ninety-four representatives that would fall to their lot on the basis of population. Still feeling bruised by the decision on representation in the proposed Senate, the Islanders finally pleaded for at least one more member in the Lower House since five assemblymen could not easily be shared by the Island's three counties! But no concession to his cherished principle of "rep by pop" was made by Brown, who was in charge at this stage.

Any problems that might have arisen in constituting the local provincial legislatures were easily sidestepped by leaving this task to

the then existing provincial governments. Indeed, except for the office of lieutenant-governor, the provincial legislatures were to be given the power of amending their own constitutions; whereas it was assumed that any amendment to the federal constitution would have to be enacted by the British Parliament.

Once the constitution of the federal legislative houses had been dealt with, it became necessary, as it is in the formation of any federal system, to establish a dividing line between areas of central and local legislative competence. When Macdonald's long list of central powers, which was presented first, is compared with the list of proposed provincial powers introduced a few days later by his Canadian colleague Oliver Mowat, it at once becomes apparent that Macdonald's list deals almost exclusively with subjects relating to national economic strength and unity, while Mowat's list, apart from strictly local matters like municipal institutions, deals with subjects necessary for the enactment of welfare legislation. Thus Macdonald's list included the vague and expansible item of "trade and commerce", while Mowat's included the even more vague and more expansible item of "property and civil rights". This last was essential from the Lower Canadian standpoint, in order to preserve its distinctive *code civil*.

In line with Macdonald's repeated insistence that sovereignty, so far as possible, must lie with the central government, the list of federal powers concludes with the reservation to the central government of "all matters of a general character" except those "specially and exclusively reserved" for the provincial legislatures. However, the list of provincial powers concludes with a seemingly similar reservation to the provincial governments of all powers "of a private or local nature" not assigned to the central government. Hence, there were obviously unintentional as well as intentional areas of overlapping jurisdiction in the division of powers. In the case of conflict arising between federal and provincial legislation in an area of concurrent jurisdiction, such as agriculture and immigration, the delegates resolved that the federal statutes should take precedence over the provincial to the extent of their repugnance. This, however, did not by any means solve the entire problem of possible conflicts of jurisdiction.

Could it have been that Macdonald was willing to have this most difficult problem of federalism left vague so that appeal could eventually be made to the recently formed judicial committee of the Imperial Privy Council, Britain's supreme court for all cases originating outside the United Kingdom? If so, it would tend to reinforce the view that Macdonald regarded London, rather than Ottawa, as the operational centre of what he hoped would be a highly centralized federal system.

If, however, Macdonald had any idea that the Privy Council in its later decisions would tend to favour the central government, he was to be disillusioned; because, for the remainder of the century the Privy Council, dominated by Lord Haldane, tended rather to take the side of the provinces. In a decision rendered in 1892, Lord Watson of the Privy Council had this to say about the British North America Act of 1867 : "The object of the act was neither to weld the provinces into one, nor to subordinate provincial governments to a central authority, but to create a federal government in which they should all be represented, entrusted with the exclusive administration of affairs in which they had a common interest, each province retaining its independence and autonomy." So may judges create policy.

In the proposed executive branches of government, Macdonald was perhaps more successful in his endeavour to achieve a high degree of centralization. The lieutenant-governors of the provinces were to be appointed by the Crown, which meant, in practice, appointment by the governor-general acting on advice of his council. At one point, Macdonald explained that the lieutenant-governor, as chief executive officer of the provincial government, was to be a very high official who would be independent of the federal government; yet he was to be appointed, paid, and subject to removal for cause, by the federal parliament !

It was stated quite explicitly that the federal executive authority was to be vested in the sovereign of the United Kingdom of Great Britain and Ireland, to be administered according to the "well-understood principles of the British constitution" by the sovereign personally or by a representative of the sovereign. It was assumed that there would continue to be a governor-general who was to be given the large power of disallowing any bills of the provincial legislatures, irrespective of whether they were *intra* or *ultra vires*, just as bills of the general parliament might be reserved for the sovereign's assent.

The construction of the judicial system seemed to move along smoothly, perhaps because Macdonald as attorney-general for Upper Canada was considered to be an expert in this field. On his suggestion, all judges except municipally appointed magistrates were to be appointed by the governor-general in council, and also paid by the general government. The enactment of all criminal law and the regulation of procedure in criminal cases were to fall within the ambit of the federal legislature; while the constitution, maintenance and organization of the courts of both civil and criminal jurisdiction, including the regulation of procedure in civil cases, were to lie with the provincial governments. The federal government, however, was to have the power to establish other special courts, including a supreme court.

To the federal legislature was also given the task of rendering existing civil law uniform throughout all the provinces, except in Lower Canada, where the *code civile* was still being jealously guarded; such unification of the civil law was not to become operative, however, until approved by the legislature of the province affected. Along with the right to maintain the *code civile* in Lower Canada went the right to use the French language in the courts as well as in the legislature of Lower Canada, and also in the General Parliament. These concessions to the perpetuation of French culture, along with the provision designed to protect the separate schools, evidently satisfied the delegates from Lower Canada at Quebec; for they remained remarkably silent throughout the conference except in support of Macdonald's ideas, though Cartier, of course, held a watching brief for the interests of Quebec.

The conference passed on from the judiciary to the concluding subject of financial arrangements. A. T. Galt was here the master of ceremonies, and it took all of his undoubted financial skill to keep the conference from being wrecked during these final deliberations. Galt's proposals, which had already received Canadian cabinet approval before the Charlottetown Conference, and had been adumbrated there, contained two basic principles. One was that on the consummation of the union, the general government would at once take over the public debts of all the provinces up to a certain ceiling, calculated on the basis of the average existing per capita provincial debts. According to this calculation, the Canadas would have a joint permissible debt of \$62.5 million, Nova Scotia \$8 million, and New Brunswick \$7 million. If the public debt of any province at the time of union fell below this permissible limit, as it certainly would in the case of Prince Edward Island and Newfoundland, the central government would pay the province 5% interest on the difference.

Galt's second principle was that in order to meet its financial obligations the federal government would not only take over the bank balances of the provinces and all public property such as military installations and railway properties; but it would also have the exclusive right to collect indirect taxes, such as customs and excise duties, sources which had hitherto provided the maritime provinces with most of their revenue. Then to balance this loss of provincial revenue, the general government would undertake to make an annual grant to each of the provinces of eighty cents per head of its population. It was likely by sheer inadvertence that Galt had arrived at the precise per capita figure which the Imperial government had required Nova Scotia to pay to Cape Breton Island, when in 1820 that island was forcibly annexed to Nova Scotia. At that time, the cry had gone up

in Cape Breton that they were being sold to Nova Scotia for the price of a sheepskin. Now the shoe was on the other foot, and this same slogan was adopted by anti-unionist Nova Scotians against being sold to Canada.

It was natural that this financial debate should arouse in the provinces, especially in the maritimes where distrust of Canadian motives was always near the surface, requests for better financial terms. In a few cases these appeals were recognized as valid. Thus, New Brunswick, having incurred heavy expenses in pushing the Canada and New Brunswick railway northward from St. Andrews on Passamaquoddy Bay to far away Rivière-du-Loup on the St. Lawrence, was to be allowed an additional \$63 thousand per year for the ten years following the union. In addition, this relatively poor province was to be permitted to continue to levy its export duties on timber, its most important export, as was Nova Scotia on her coal and other minerals. Newfoundland was also to receive preferential treatment. For surrendering all rights in its natural resources and crown lands, from which only a small revenue could be expected, it was to receive an additional \$150 thousand per year for an undetermined period. Presumably little effort was made to appease Prince Edward Island although it stressed its urgent need for money to buy out the absentee landlords who, for over a century, had been sapping the Island's economy and morale. This appeal seems not even to have been considered. Apparently, the Island had been written off as a likely adherent to the union.

Except for these special grants, the provinces, with their cash assets, as well as debts, taken over by the central government, would enter the union with their cupboards quite bare. They would, however, continue to be vested with all their natural resources, such as public lands, minerals and waterpower. Macdonald had assured the delegates in his initial speech that once the federal government had assumed full responsibility for all general matters, the expenses of the provincial legislatures would be very small, in fact, "scarcely appreciable". He would have been on firmer ground if he had stressed instead the increases that might be expected in provincial revenues as the value of their natural resources soared. For with the tremendous expansion in what was later called welfare legislation, an area left with the provinces as we have noticed, provincial expenditures have so far exceeded provincial revenues that the demands by the provinces for increased subventions have become one of the country's most popular pastimes.

Back in placid Fredericton the following year, Lieutenant-Governor A. H. Gordon, grieving over the submergence of his cherished maritime

union by the grander scheme of federation, and casting about for ways to discredit the Quebec scheme, came upon a discrepancy in Quebec Resolution 24 between the text as authenticated by chairman Taché which he had earlier received from Canada and the text as it had been introduced into the Canadian assembly for approval. He therefore enquired which of these texts should be regarded as authentic. The Canadian provincial secretary in replying to his letter pointed out that the proceedings towards the end of the conference had been "very much hurried", and several quite obvious slips had been made in transcribing documents. He readily admitted that several changes had had to be made at an adjourned session of the conference at Montreal; but said that all these changes had received the unanimous approval of all the delegates present. He pointed out that if resolution 24 had been allowed to stand in its original form, any provincial legislature would have had the power to gerrymander any federal constituency out of existence, which obviously could not have been the intention. We have also the eyewitness testimony of A. A. Macdonald of the disarray into which the proceedings at Quebec fell in the final days of the conference.

It is worth noting that in the only engrossed copy of the Quebec Resolutions that has yet come to light, resolution 24 is in its original form. The document bears the signatures of J. A. Macdonald and G. E. Cartier, along with those of several other delegates. How many delegates eventually "authenticated" the resolutions (significantly not signifying approval) is not known, since only this partially signed copy has yet been found. The Ottawa manuscript dealer who offered this unique copy for sale claimed that he had found it in a stable in Hull. It now reposes in the Ontario Department of Public Records and Archives. A facsimile is in the possession of the Public Archives in Ottawa.

It was not until the end of 1866 that the resolutions were ready for the last formal review before introduction to the British Parliament. On the suggestion of the Colonial Office a third intercolonial conference was held at the Westminster Palace Hotel, London, on December 6, 1866 for this purpose. The London delegation was notable for the absence of any representatives from either of the two island colonies of Newfoundland or Prince Edward Island whose legislatures had failed to act favourably on the Quebec Resolutions. The most that can be said about Nova Scotia and New Brunswick is that their action had not been unfavourable. Both houses of the Nova Scotia legislature and eventually the Lower House of the legislature of New Brunswick had approved the general proposal that the provinces be united in a grand federation, but avoided giving approval to the Quebec Resolutions

as a sole basis for it. Moreover, these maritime delegates made as a condition of their attendance at London and, indeed, of their adhesion to the proposed federation, that arrangements for the completion of the Intercolonial Railway must be included in any proposal of union that might be presented to the British Parliament for enactment.

Actual changes in the wording of the original seventy-two Quebec Resolutions were, for the most part, small and unimpressive. One was the deletion of the word "federation" and the substitution of "confederation" at Macdonald's suggestion. The story of this substitution is not without some interest. A few months before the London Conference, Governor General Lord Monck had written confidentially to the new colonial secretary, the Earl of Carnarvon, urgently warning him that he should resist any attempt that might be made at the London Conference to depart from Macdonald's efforts to provide for a highly centralized government in the proposed union. Strangely enough, Monck regarded the term "federation" as meaning a loosely knit type of union, and he therefore expressed dissatisfaction with its use in the Quebec Resolutions. By some easily imagined intermediary this Monckian interpretation must have reached the London delegates, with the result that this bad word was carefully deleted and "confederation" substituted throughout the London Resolutions. Surely if popular usage is to be regarded as having any significance in determining the meaning of words, after two years of civil war in the states, the term "confederation" might have been expected to have taken on some of the meaning regularly associated with it south of the Mason-Dixon line, where it was claimed that the states had retained the right to secede from the union; whereas the "federal" North was resisting this view to the death. "Confederation" would seem a strange choice, therefore, by a man who wanted the central government to be paramount. But stranger still, perhaps, was the decision of some unknown legal draftsman of the Imperial government to use neither of these ambiguous terms in the eventual British North America Act and to substitute the non-committal word "union"; although the founding fathers to this day have continued to be referred to as the "Fathers of Confederation".

But the London Conference accomplished at least one useful thing. At Galt's suggestion the right to establish dissentient schools was made applicable to all provinces; and more important, it was added that an appeal might be made to the governor-general in council from the acts and decisions of the local authorities in matters of education, and that the General Parliament would have the power in the last resort to pass remedial legislation. It was this subsection of the act which was shortly to be applied to restore separate schools in the newly

formed province of Manitoba, where, following its adhesion to Canada, its Protestant settlers had soon overtaken in numbers the hitherto Catholic majority and had used this majority position to abolish provincial "separate" schools.

On December 24, 1866 the delegates to London passed a resolution "that a copy of these resolutions be transmitted to the Right Honourable Secretary of State for the Colonies". They were then entrusted to the Imperial draftsmen for preparation for introduction to Parliament, where they received their third and final reading on March 29, 1867. The new Canadian state duly came into existence on July 1, 1867. But terminological difficulties continued to haunt the new nation. July 1 was called either Dominion Day or Canada Day, sometimes depending on which political party was in power at the time. The word "Dominion" appears in the British North America Act but not "Dominion of Canada". This new state was to be called simply "Canada".

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J. C. Bonenfant



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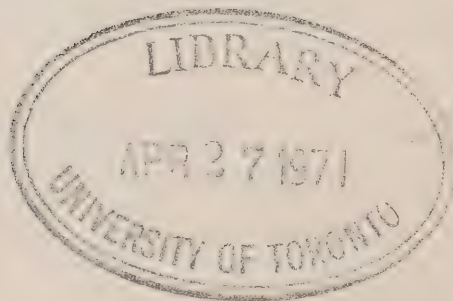
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Translated by GRACE MAURICE



THE FRENCH CANADIANS AND THE BIRTH OF CONFEDERATION

At the time of the birth of Confederation, the French Canadians formed a homogeneous group of almost a million inhabitants, representing not quite a third of the total population of the four provinces that were to form the Dominion of Canada. There were nearly 900,000 of them in Quebec, and already some 150,000 in Ontario, New Brunswick, and Nova Scotia, though the latter exercised very little influence. The French Canadians of Lower Canada were nearly all Roman Catholics and the great majority of them lived in the country. Especially since 1840, they had developed their scholastic and municipal institutions; they had numerous newspapers and possessed an embryonic literature as illustrated by the Quebec literary school of 1860. What would be their reactions when faced with the events which would take place from June 1864 to 1 July 1867, and which would constitute the genesis of Confederation?

Before 1864

For a century, theoretical projects to unite the British North American colonies in a federal union had been widely propounded. In general the French Canadians had known very little of these projects, which came for the most part from their political opponents, and, to the French Canadians they often signified legislative union. However, as early as 1847, *Le Canadien* wrote, on 8 September, that "they (the French Canadians) confidently anticipate a greater freedom of action in a federation." In 1858, a French Canadian, Joseph-Charles Taché, published the last and one of the most complete of the theoretical schemes of federalism, entitled *Des provinces de l'Amérique du Nord et d'une union fédérale*, a slightly revised version of thirty-three articles which he had written in his newspaper, *Le Courrier du Canada*, the preceding year. At the time of the debate on the Quebec Resolutions, in the 1865 session, the member for Lévis, Dr. Joseph S. Blanchet, quoted Taché abundantly in order to declare, with a little friendly exaggeration, that "in the division of powers between the local governments and the central government, the plan of the conference was almost word for word the work of Monsieur Taché." It was also in 1858 that Joseph-Edouard Cauchon edited in brochure form some articles which he had written in his *Journal de Québec*. As the federal system became less and less a theoretical one for the inhabitants of the British North American colonies, the French Canadians became interested in it, but they were not really called upon to make up their minds until the question became the object of political decision.

Political Federalism

Federalism began to become a political possibility in August 1858, when Alexander T. Galt demanded acceptance of his project of confederation before he would enter the Cartier-Macdonald ministry. George-Etienne Cartier was then converted to the idea of confederation, an important development considering the authority that he exerted over a large number of his French-speaking compatriots. However, the mother country did not take the project seriously, and only with the political crisis of June 1864 did federalism really cease to be an academic problem. Under the patriarchal direction of Sir Etienne-Paschal Taché who had agreed to come out of retirement in the preceding March to become premier of a Conservative government of which John A. Macdonald and George-Etienne Cartier were the real chiefs, a kind of sacred union was formed, due to the entry into the ministry of the Upper Canadian Liberal leader George Brown and some of his colleagues. The only important group which remained outside the coalition were the Liberals of Lower Canada, the "Rouges", to whom must be added some French-Canadian Conservatives who broke away from their party on this occasion, and an English-Canadian Conservative of stature, Christopher Dunkin. These Liberals were French Canadians except for a few, including two leading figures, Luther Hamilton Holton and Lucius Seth Huntington. The serious opposition to Confederation in the united Canadas, then, was that of the French-speaking Liberals of Lower Canada, led by Antoine-Aimé Dorion, and next to him his younger brother, Jean-Baptiste Eric, the impetuous and radical *enfant terrible*, who died suddenly on 1 November 1866, and so was spared the sorrow of witnessing the realization of Confederation.

The first act of the opponents of Confederation was to attack the coalition and to ridicule the Conservatives for becoming the friends of Brown, whom they had heretofore denounced as the greatest enemy of the French-Canadian Catholics. The struggle did not become clearly defined, however, until after the government had entered into relations with the other colonies at Charlottetown at the beginning of September 1864, and especially after the plan of federalism had been enunciated in the Quebec Resolutions at the conclusion of the Quebec Conference which was held in October. From the social point of view in particular, the latter event was steeped in the French atmosphere of the city, but the deliberations were carried on exclusively in English and with all the pragmatism of the British. Of the thirty-three delegates who met at Quebec, only four were French-Canadian: Etienne-Paschal Taché, who presided over the conference; George-Etienne Cartier, Jean-Charles Chapais and Hector Langevin. Cartier himself seems to have been rather silent during the conference,

though he must have put forward his ideas inside the cabinet of the united Canadas, which prepared the propositions which John A. Macdonald then submitted to the delegates.

Dorion's Manifesto

By the beginning of November, although there had been no official announcement, numerous speeches and newspaper articles had made known the essential elements of the propositions adopted by the Quebec Conference, and, on 7 November, Antoine-Aimé Dorion considered it necessary to denounce them in a manifesto addressed to his constituents in the county of Hochelaga. The text of this manifesto, together with the speech which Dorion made during the winter of 1865 in the Canadian legislature at the time of the debate on the Quebec Resolutions, and the *Manifeste des vingt* of 1866, constitute a basic documentation of the struggle against Confederation in Lower Canada.

Dorion wondered, first, what independence the provinces would retain "if they were deprived of the right to regulate their own criminal and commercial laws, and if they could modify their civil and municipal laws, laws concerning public instruction and other similar questions, only with the approval of the central government?" Theoretically Dorion was correct, for if the rights of reservation and disallowance which were written into the constitution had worked as John A. Macdonald desired at the outset, it would have been a veritable legislative union that had been created. In Dorion's eyes, the necessity of settling the problem of representation by population in the united Canada was not a sufficient reason for creating a Confederation. He argued that it would have been better to grant some extra members in the assembly to Upper Canada, while preserving the equality between Upper and Lower Canada in the Legislative Council. In Dorion's opinion, the entry of the Maritime provinces into Confederation would only increase the financial drain on Upper and Lower Canada, without any compensating commercial advantages. The defense of the country would become more difficult when New Brunswick and its 500 miles of frontier with the United States were added. The Legislative Council, that is to say, the Senate, "composed of a fixed number of members appointed for life by the Crown, could impede the wishes of public opinion and paralyze all progressive legislation." And Dorion concluded with the argument which, until 1867, remained the most serious of those formulated by the opponents of Confederation when he said, "In whatever manner one views the proposed changes, there is one point on which there can be no difference of opinion, and that is that when we are concerned with nothing less than the remaking of the constitution, and

the creation of new foundations for the political edifice, the people whose interest and posterity are affected, should be consulted." Although the government never succeeded in defending its attitude adequately, it was never to permit the people to express their opinion. The government claimed that it did not fear a popular consultation, but that it was unnecessary because in a number of elections the government candidates had been successful.

After Dorion's manifesto, at the end of 1864 and the beginning of 1865, the people formed ranks for battle. Meetings were held, especially in the counties of Rouville, Verchères, Iberville, Laprairie, Drummond and Arthabaska, Jacques Cartier, Chambly, Bagot and Saint-Hyacinthe. On 7 January 1865, *Le Pays* asserted that the people were waking up in earnest and that soon the movement would embrace all of Lower Canada.

Since the present ministry, added *Le Pays*, "does not intend to ask the people for their opinion on the constitutional changes which it is preparing for us, the people must take the initiative and prove that they are not inclined to sign this sort of death sentence without examining it very closely. Therefore, let the mayors of each village, let the prefects of each county, all set to work, and let Lower Canada, by means of public assemblies, pronounce its opinion on the plan of Confederation which is to be submitted to her representatives in Parliament in the very near future.

The assembly held at Verchères on 27 December was regarded by *Le Pays* in its edition of 29 December as "a perfect anti-Confederate triumph." The newspaper published the resolutions of the meeting, one of which was a very good summation of the arguments of the participants who were opposed to Confederation:

1. Because the new system would be expensive and complicated;
2. Because it would imperil the institutions and the religious faith, as well as the autonomy, of the French-Canadian nationality, guaranteed by solemn treaties and Imperial statutes;
3. Because it would impose on this province pecuniary obligations which were incumbent exclusively and by law on the other provinces of British North America, and very onerous material sacrifices, such as direct taxation, without procuring in return in this region any real or tangible benefit;
4. Because it would very probably instigate, sooner or later, throughout the said provinces, and particularly in this region, civil troubles and perhaps very serious ones.

Thus public opinion had been awakened when, at the beginning of February, the Upper and Lower Houses of the united Canadas began to study the Quebec Resolutions.

Debate on the Quebec Resolutions

Even though Premier Taché sat in the Legislative Council, it was in the lower chamber that the principal speeches were made to praise

the project as well as to fight it. Among the French Canadians, the most fervent partisans of Confederation were George-Etienne Cartier and Hector Langevin, both members of the Cabinet, and Joseph-Edouard Cauchon, who was a backbencher, but who exercised considerable influence over his fellow citizens through his newspaper, the *Journal de Québec*.

Antoine-Aimé Dorion, by virtue of his position as leader of the opposition, intervened several times, but on 16 February, he made his greatest speech, which may be regarded as the summation of the arguments of the French-Canadian adversaries of Confederation. Once again he took up the arguments of his manifesto and he defended himself successfully against the charge of having recently been in favour of a federal solution, as the Conservatives charged, when he declared that he was only "in favour of a Confederation of the two provinces of Upper and Lower Canada, but a real Confederation, giving greater powers to the local governments, and only a delegated authority to the central government." As for the problem of defense, to which was linked the construction of the inter-colonial railroad uniting Canada with the Maritime provinces, Dorion considered it impossible to regulate by means of Confederation. "What it would be better for Canada to do," he added, "would be to remain peaceful, and not give our neighbours any pretext for war." Dorion claimed also that the British railway magnates, desiring to restore the state of their finances, were the secret artisans of Confederation. He ended his speech with the words: "I greatly fear that the day when this Confederation is adopted will be a dark day for Lower Canada . . . I consider it one of the worst measures which could be submitted to us and, if it happens that it is adopted, without the sanction of the people of this province, the country will have more than one occasion to regret it." Eric Dorion added almost nothing to the arguments of his brother, though his style was more dramatic. After showing that the coalition of June 1864, and the project of Confederation which resulted from it, were only a manoeuvre of the Conservative party to remain in power, he repeated over and over again, "I am opposed to the project of Confederation because . . ."

Among the other French-Canadian opponents of Confederation were Henri-Elzéar Taschereau, Conservative representative from Beauce, who broke with his party on this occasion because, he said, he was not convinced that the proposed constitution contained "in itself sufficient guarantees for the protection of our rights" and Joseph-Xavier Perrault, member for Richelieu, who in a very long speech, after more serious arguments, took the time to revive memories of the persecutions against the Irish, the expulsion of the Acadians, the constitutional struggles of Lower Canada, and made the assertion that

on the island of Mauritius, England had not respected the clauses of the treaty which ceded that colony to her — all this to prove that the new constitution was a threat to the French Canadians.

Several votes were taken. The most revealing was that of 10 March, when the government proposal was approved by 91 votes to 33. The vote may be analyzed as follows: in Upper Canada, 54 in favour of the measure, 8 opposed; in Lower Canada, 37 in favour, 25 opposed; among the French Canadians, 26 in favour, 22 opposed. A proposal to appeal to the people before submitting the project to the Imperial parliament was rejected by 84 to 35, the great majority of the latter being French-Canadian members. The Liberal newspaper *Le Pays* wrote on 14 March that the night of 10 March, the night of the most important vote, had seen "the most iniquitous act, the most degrading act, which parliamentary government had witnessed since the treason of the Irish deputies who sold their country to England for positions, honours, and gold." In an obviously different tone, the Conservative newspaper *La Minerve* had written on 11 March: "The vote in the Canadian legislature marked an important date in the history of Canada . . . The union of the colonies is the consecration of our political and national existence and the guarantee of our future."

In the Législative Council on 20 February, the Quebec Resolutions had been approved by 45 votes to 15, the latter including 8 councillors from Lower Canada. Seven of these had been elected and consequently could claim to express the sentiments of a fairly large group of public opinion. The French-Canadian voters of Lower Canada could not express their views on the project of Confederation before it was adopted, but the fact remains that a large number of their representatives in both houses were opposed to it.

From the approval of the Quebec Resolutions by the Canadian parliament to their study at the London Conference in December 1866, the plan of Confederation continued to be the object of political discussions between its partisans and its adversaries. At the beginning of March 1865, it suffered a severe blow when the government of New Brunswick, which favoured Confederation, was defeated in a provincial general election. In spite of the affirmations of Cartier and his supporters, the project seemed to have broken down and during the autumn of 1865, many people, including newspaper editors, wondered whether it might not be necessary to replace the plan for the wider union with one for the federation of the two Canadas only. However, new elections were held in New Brunswick in 1866, which returned the Confederation party to power. This made possible the London Conference in December of the same year, and finally, in 1867, the drafting and the adoption of the British North America Act.

The Session of 1866

During this waiting period, various problems deriving from Confederation, of particular interest to the French Canadians, were discussed, and solutions were found for them during the last session of the assembly of the united Canadas in the summer of 1866. The most important debate concerned the resolutions providing for the constitutions of the future provinces of Quebec and Ontario. John A. Macdonald did not want an Upper House in Ontario, but Cartier demanded one for Quebec. The government had some difficulty in explaining this anomaly. According to Cartier, Lower Canada wanted "to give more dignity to legislative institutions" but there were further reasons for the creation of a Legislative Council. In reality, the Council was thought necessary to protect the Anglo-Saxon minority against possible legislative action by the Lower House.

At the birth of Confederation, the English and Protestant Canadians of Quebec did not wish to risk their position. They represented nearly a quarter of the population, but their real power was more considerable than their number, for, in the cities of Quebec and Montreal, they were the masters of industry, commerce, and finance, and they dominated the Eastern Townships. They were afraid that, under the new constitution, they would lose their privileged position, and that they would henceforth be at the mercy of the French-Canadian Catholic majority in the future local legislature. Their leader, Alexander T. Galt, tried to reassure them in a speech made on 23 November 1864 in the city of Sherbrooke, for which he was the member in the Legislative assembly. He rejected the idea that the French Canadians could one day deprive their compatriots of a substantial representation in the legislative assembly, but even so, he had the prudence to have twelve privileged electoral districts constituted, which could not be interfered with without the consent of an absolute majority of the members who would represent them.

Galt also tried to ensure better protection for the schools of the Protestant minority in Quebec. In 1866 he was unsuccessful in his attempt to have the Legislative Assembly adopt a measure to this effect, and he resigned from the government, but, as a delegate to the London Conference, he obtained approximately what he wanted in the final text of the British North America Act.

The problem of education for minorities at the time of Confederation, it should be remembered, was always presented from the religious viewpoint and never from the linguistic. That was no disadvantage to the Anglo-Saxon minority of Quebec which was then identical with the Protestant minority. In the other provinces the French-Canadian

population belonged to the Catholic minority, and it was only as such that it was protected. George-Etienne Cartier went so far as to say in 1866: "Upper Canada is inhabited by only one race; the same is not true of Lower Canada." Hector Langevin had made the same point in 1865: "Upper Canada has a homogeneous population professing different religions." In fact, there were nearly 75,000 French-speaking Canadians in Upper Canada, but for their compatriots of Lower Canada they were only a sort of avant-garde whose future was viewed as quite hazy. As for the Acadians, it is revealing that, during the debate on the Quebec Resolutions in the Canadian legislature, their expulsion was mentioned only twice. It was solely as Catholics that they received a meagre protection, and furthermore they were to be deprived of this protection on the morrow of Confederation. In reality, the struggle surrounding the problems of education, before as after Confederation, brought two different philosophies face to face: that of the Catholics who favoured separate schools, and that of the Protestants who, in spite of appearances, more easily accepted schools which were for all practical purposes public schools, in which the question of a specific religion was not seriously raised.

The Final Opposition

A final assault against the project of Confederation was launched at the end of October 1866 by the drafting and publication of a manifesto signed by twenty members of the Legislative Assembly and sent to the Colonial Secretary, Lord Carnarvon. Coming after more than two years of struggle, when the die was definitely cast, the manifesto did not present any new arguments. It summed up events from the first official step towards Confederation, taken by Cartier, Ross, and Galt in 1859, to the decision which had just been made by Nova Scotia, New Brunswick, and the Canadas to send delegates to London to establish the Union. The signatories concluded:

We have striven to prove that the initiative for the project of Confederation, and all the subsequent steps to have it adopted, are due to exigencies of the parties and not to a spontaneous and general desire of the people to make radical changes in their institutions or in their political relations.

Lord Carnarvon was unmoved by the protests which were presented to him. During the debates in the House of Lords and the House of Commons on the proposed British North America Act, the problem of the opposition which had been manifested in Nova Scotia was raised, but that of the Liberals of Lower Canada was not. Lord Carnarvon contented himself with declaring on 22 February that in the case of Upper and Lower Canada, the delegates in London had the most complete powers. For the British government, the approval of

the Quebec Resolutions in 1865 constituted a definite acquiescence on the part of the two sections of united Canada. The manifesto received considerable attention in the newspapers of Lower Canada, but it left the mother country indifferent.

The First of July 1867

During the winter of 1866-67, Lower Canadians attentively followed the events which were taking place in London, even though the newspapers were often several weeks late in reporting the news, because the newly-inaugurated transatlantic telegraph provided very little information about the conference. In the spring, the text of the act, which Queen Victoria had sanctioned on 29 March, was sent to Canada and was immediately translated into rather inelegant French. On the first of July, which was a Monday, Confederation was born, and the day was marked by great public rejoicing in the new province of Quebec. Of course its Liberal opponents accepted the new regime without enthusiasm, but it is probable that the following lines from the editorial of the *Courrier du Canada* represented more than the partisan sentiments of a Conservative newspaper :

One hundred and six years, eight months and eighteen days ago yesterday, M. de Vaudreuil, the last of the French governors of New France, concluded a capitulation which delivered forever to his secular enemies "the most beautiful, the most French, and the most neglected" of the colonies that France possessed . . . Who would have been able to foresee, we shall not say a hundred years ago, fifty or twenty-five years ago, but seven or eight years ago, who would have been able to foresee that Lower Canada, the cradle of the French-Canadian nationality, would be, in the very near future and without ceasing to be a colony of England, governed by a French-Canadian Catholic ?

The Causes of Confederation

Even if the opposition to Confederation in Lower Canada was considerable, it cannot be assumed that the new regime had been brutally imposed on the population. Both profound causes and immediate motives led a good proportion of the French Canadians to be favourable to it.

In the birth of Confederation, several causes were intermingled, but they can be conveniently classified in this way: the economic exigencies of the time; the necessity of constructing the Intercolonial and of re-financing the railway system already in existence; fear of the United States and at the same time, to a degree, a desire to imitate them; the needs of defense; the birth in the different colonies of a common national sentiment; the consent of the mother country;

and finally the desire of the Canadian government to be free of the difficulties which had for some time paralyzed the working of its political institutions.

The transformation of the economy of Great Britain in the middle of the nineteenth century considerably damaged the commerce of the colonies. A grave crisis followed and some of the discontented English Canadians even advocated annexation to the United States. Less bound to business and industry, the French Canadians generally remained outside this movement. The Reciprocity Treaty, signed in 1854, brought a temporary prosperity to the colonies, a prosperity which became even greater during the American Civil War from 1860 to 1865, when Canadian exports increased and agriculture profited. However, the Canadians feared that the treaty would be abrogated and this in fact happened in 1866. The partisans of Confederation claimed that the problems associated with the termination of Reciprocity would be corrected by the increase in commerce between the reunited colonies. Facing the economic difficulties of the time, aggravated by poor harvests, particularly in 1864, and foreseeing the greater hardship which the end of reciprocity would bring, Canadians had seen a certain degree of salvation in the new system. The French Canadians shared this hope. When in a speech to the Legislative Assembly on 9 March 1865, Eric Dorion drew a somber picture of the farmer in the fields of Lower Canada, he was obviously exaggerating, as any opponent of the government would, but all the same his testimony revealed a recurring situation which led the people to look for a new solution, a solution such as Confederation.

Most of the French Canadians, except for some of their leaders like Cartier, were not so bound to financial and railway interests that the necessity of building the Intercolonial influenced them directly to favour Confederation, but, even so, on 1 August 1867, the Conservative newspaper *Le Courrier de Saint-Hyacinthe* wrote:

There is no doubt... that the Intercolonial Railway will bring wealth to the part of the country through which it runs. Its first effect will be to stimulate commerce and to favour colonization greatly. The counties of Temiscouata and Rimouski which it crosses are very fertile, the immigrant will find good land there, and abundant facilities for communication with the centres of commerce.

Moreover, the construction of the Intercolonial was only one important aspect of two other factors: the fear of the United States and the necessities of defense.

Rightly or wrongly, between 1860 and 1870, the French Canadians feared annexation to the United States and viewed Confederation as

the only way to prevent this. While it is true that English-Canadian politicians and newspapers sometimes invoked this argument, few attached as much importance to it as the French Canadians. Several of their political leaders and several of their newspapers presented the alternative: "Confederation or annexation." At that time, all Canadians had serious reasons to fear the United States, and particularly the northern states who emerged victorious from the Civil War. England had shown sympathy towards the southern states and it would have been normal for the North to take its vengeance on the British colonies of North America. Besides, the fear of the United States took a concrete form in the Fenian menace, which the politicians did not fail to exploit. In 1866, the Fenians, Irish fanatics who had been organizing in the United States and had taken advantage of the Civil War to acquire military training, attacked New Brunswick at Campobello, Upper Canada on the Niagara peninsula, and Lower Canada at Frelighsburg. On 28 June 1866, on the occasion of the feast of Saint-Jean-Baptiste, *Le Canadien* published a poem by Arthur Cassegrain entitled "The Fenian Invasion" in which he launched the appeal:

Aux armes ! fils de Jean-Baptiste
Entendez le canon ! ...
Que votre patron vous assiste !
Pensez à Carillon.

Moreover, the general problem of the defense of Canada was one of the important influences on the birth of Confederation in French Canada as well as elsewhere. Their politicians had made this a debating point and on 13 February 1865, *La Minerve* wrote: "It is to assure ourselves a force and sufficient means of defense that we desire a union of all the provinces destined to march under the same flag in case of war."

Several politicians and newspapers also emphasized that, at the time of Confederation, a new country was being born. The French Canadians do not seem to have been preoccupied with this idea except in so far as it concerned their survival as a group, or the possibility that union would permit them to avoid annexation. In opposing the new regime, the French-Canadian Liberals claimed, of course, that it endangered the survival of French Canada, but the *Journal de Québec* seems to have represented a large part of public opinion when it wrote on 17 December 1864:

We want to be a nation one day, and as that is our necessary destiny and the goal to which we aspire, we prefer the political condition of which we will be a vital element, and in which we will still be in existence, rather than to be thrown into the midst of an

immense people, like a drop of water lost in the ocean, where in a few years we would lose our language, our laws, and even the memory of our glorious origins.

It should be added that, at the birth of Confederation, French Canadians were happy that legal recognition was given to the use of their language in parliament and in the courts, where French had previously had only *de facto* recognition.

Finally, an examination of the causes which led to Confederation reveals that action was precipitated by the desire to escape from the political difficulties of the united province. The Union of 1840, by creating equal representation in the Lower House for Upper and Lower Canada, became eventually unjust to the Anglo-Saxon element and made representation by population one of the most important themes of political life in the united Canadas. This problem was one of the principal causes of ministerial instability and to resolve it, federalism seemed the best solution. This was what Cartier understood, and this is what he succeeded in making a large portion of the population understand. *La Minerve* summed up the situation on 16 July 1864 when it wrote:

Representation by population in Confederation is a completely different question from representation by population in the existing Union, since in the first case it is a safeguard and guarantee of independence and in the second case it is an infallible means to servitude and degradation.

Several days before, *La Minerve* had underlined the fact that Lower Canada could not be an obstacle to Confederation and consequently could not oppose another factor which determined the course of events, the will of London. The Conservative newspaper wrote:

For a long time, people in England have been talking of uniting all the British possessions in America under the same legislative government. When a general movement towards Confederation develops and when this movement is perfectly motivated, can we allow ourselves to stand in the way like an insuperable barrier, at the risk of bringing about their ruin and our own ?

The Catholic Clergy

"Without Cartier and the Catholic clergy of Quebec, it would have been impossible to accomplish the union of 1867," wrote the journalist and historian, Sir John Willison. The Conservative party which advocated Confederation was of course on better terms with the Catholic clergy than was the Liberal party which opposed it. The bishops and curés still exercised an influence over the electorate in political matters which they were not to lose until the victory of

Laurier in 1896. Moreover, much importance was attached to the opinion of the clergy. Cartier declared in the House during the winter of 1865:

I will say that the opinion of the clergy is favourable to Confederation . . . In general, the clergy are the enemy of all political dissension and if they support this project, it is because they see in Confederation a solution to the difficulties which have existed for so long.

Perhaps not all the bishops and curés were as favourable to Confederation as Cartier said. At least, this is what the Liberals claimed, but as they had never been on very good terms with the Catholic church, it was difficult for them to boast of interpreting the sentiments of its representatives.

However, it can be affirmed that from June 1864 to the spring of 1867, the Catholic clergy, while generally favouring the Confederation project, refused to commit themselves and even felt some fear of facing the unknown. But after the new political system had been adopted by the British parliament, the five bishops of Lower Canada published pastoral letters in which they left their flock little liberty to vote against the constitution. For them, of course, it was the recognition of a *fait accompli*, the traditional acceptance by the Catholic hierarchy of established power and authority, but it was also an almost morbid fear of annexation to the United States, and a consequence of the game of bipartisanship. In effect, not to approve Confederation would have been the same as allying themselves with its opponents, who for the most part were Liberals who had broken with the clergy. Thus the bishops were only expressing publicly sentiments which they had already held for a long time, and which the public knew. The Conservatives shamelessly took advantage of this, especially during the elections which followed Confederation; the Liberals suffered from it and allowed their anger to burst forth violently in the autumn of 1867.

The French-Canadian bishop who seems to have shown the greatest enthusiasm for Confederation was Monseigneur Charles Larocque, who became bishop of Saint-Hyacinthe in March 1866. In his pastoral letter of 18 June 1867, after saying that "In our opinion, Confederation does not appear to be a danger to be feared at all," he wrote:

Republican institutions do not suit us any better than they suit the great people from whom we are descended, the French. And the fate which would be awaiting us, if God suffered us at some future date to enter the great American republic, would be exactly comparable to that of so many tributaries which come to be swallowed up in the great, deep St. Lawrence, where they disappear without leaving the slightest trace of their existence.

After listening to such remarks, it was rather difficult for anyone who was accustomed to obeying his bishop to oppose Confederation and to vote in favour of its opponents.

George-Etienne Cartier

Without a doubt, the great artisan of Confederation in Lower Canada, the one who succeeded in channeling all the latent forces, was George-Etienne Cartier. He was not a theorist and, if he made himself the apostle of Confederation, it was not to bring about the triumph of the system. It was because he believed that it was the only way out of the situation, favourable to Lower Canada but unjust to Upper Canada, which had been created by equal representation, and perhaps also because he was to some extent associated with railway interests. To these motives may be added the natural desire of a politician to play a role on a higher stage, and an almost morbid fear of the United States and their republican institutions. In the great speech which Cartier made on 7 February 1865 in favour of the Quebec resolutions, he declared: "The question is reduced to this: we must either have a British North American federation or else be absorbed into the American federation." When Cartier feared annexation, it was not only because it would mark a change of allegiance, but also because of something more important: Cartier, as a monarchist and a Conservative, feared republican institutions. Cartier has sometimes been criticized for not ensuring sufficiently the protection of his compatriots, and particularly for forgetting the French minorities living outside Quebec, but we must not judge a politician in the light of events which have occurred in the intervening century and which he could not have foreseen. In the sometimes difficult circumstances in which he found himself, at grips with an artful colleague like John A. Macdonald, Cartier sought concrete solutions. At the most, one can reproach him, like many others politicians after him, for having had a conception of federalism that was too simplified and too optimistic. He expressed it in 1865 in these words:

Under the federal system, which leaves to the central government the great questions of general interest in which racial differences are not concerned, it will not be possible that the rights of race and religion fail to be appreciated.

The Elections of 1867

In attempting to understand the attitude of the French Canadians at the time of the birth of Confederation, it is necessary finally to see what happened in Quebec when the first elections were held, at the beginning of September, to elect members to the House of Commons

and to the Legislative Assembly of Quebec. The Conservatives tried to transform the vote into a sort of plebiscite in favour of Confederation. At least it was easy for them to claim that their Liberal opponents, who were opposed to the new regime, were hardly likely to make it function. In another connection, as we have seen, after the new system had been adopted by the British parliament, the bishops sent out the pastoral letters in which they left their flock little liberty to vote against Confederation. The Liberals, directed by Antoine-Aimé Dorion, formed an organization not to fight against Confederation, but to "neutralize the effects of the new system." This was the Reform Association of Lower Canada, which consisted of moderate Liberals, as opposed to the young radical Liberals, often annexationists, who followed Médéric Lanctôt. As often happened at the time, the arguments of the two principal groups of opponents crystallized into two brochures, entitled, respectively, *La Confédération, couronnement de dix années de mauvaise administration* and *La Confédération, c'est le salut du Bas-Canada*.

The federal election ended in a resounding victory for the Conservatives and consequently for the supporters of Confederation. In the whole country they won 101 seats out of 181, and in Quebec, 45 out of 65. The Conservatives were also victorious in the elections for the Legislative Assembly.

The First Session

The first session of the new federal Parliament opened on 7 November and, at the very beginning, a minor incident seemed to indicate that the French Canadians who feared Confederation and claimed that it would not easily permit the realization of Canadian duality, were right. After Macdonald and Cartier had proposed James Cockburn, a Conservative member from Ontario, and a Father of Confederation, as speaker, the member from Montcalm, Joseph Dufresne, opposed this choice "because Cockburn did not understand the two languages which were to be on equal footing in the House of Commons." *La Minerve* itself, while favourable to the government, did not hesitate to write: "Perhaps it was wise to present openly the rights of the French Canadian minority in Confederation as soon as Parliament opened." This was the beginning of the difficulties which French-speaking Canadians would often meet in their attempts to participate freely in political life at the federal level, difficulties which would impel them to develop the autonomy of the province of which they would be masters because they constituted the majority.

For the moment, they felt a certain pride in possessing their own institutions. When the Lieutenant-Governor, Sir Narcisse Belleau, opened the first session of the provincial legislature on 28 december 1867, he could declare:

The constitution has entrusted you with great interests but has imposed serious obligations on you, concerning the administration of justice, public instruction, the patronage of science, the humanities, and the arts, the exploitation of public property, including our vast forests and our mines that are so important, the development of our social resources, immigration, colonization, the police, and in general, civil law and property law.

For better or for worse, the die was cast, and the legislative machinery of Confederation began to function.

Conclusion

Although we have no mathematical proof, it seems likely that the majority of French Canadians were favourable to Confederation during its formative stages from 1864 to 1867, and while they possessed most of the characteristics which, since the principle of nationality had developed, had led people in Europe to dream of independence, nevertheless it can be affirmed that at this time, even though the French Canadians wanted to preserve their identity, they never seriously thought of independence as a solution.

On the other hand, it appears that they understood that the political system created by the Union of 1840, even if it had become on the whole favourable to them, had to be altered because the English-speaking Canadians of Upper Canada could not agree indefinitely to a refusal of representation by population. At the time there was certainly a strong temptation towards annexation to the United States, or at least the impression that this annexation would be inevitable some day, and that, after all, it would serve no purpose to fight against geographical, economic, and political imperatives, but George-Etienne Cartier and the Catholic clergy succeeded in convincing the population of the dangers which annexation would entail for them. Besides, they could believe that annexation was inevitable without wishing to take definite steps which would facilitate it.

While accepting federalism as inevitable, the French Canadians did not have a very advanced theoretical vision of it, and they would have been incapable of discussing most of the problems it poses today. They did not even suspect these problems. It could not be expected, for example, that they could imagine all the furore that lay in Paragraph 13 of Section 92 on property and civil rights. They could

not have suspected that judicial interpretation would give this article such importance. They could not know all that was hidden in the words "public lands, timber and woods" of Paragraph 5 of Section 92.

The French Canadians were forced to make the best of pragmatic solutions and to foresee as well as possible the difficulties these would create. Events must not be judged in the light of later developments, with an insight which contemporaries could not possess. The French Canadians seem to have understood fairly well the powers it was necessary to entrust to the provinces so that Quebec could remain master of its institutions at the time. They thought that provincial power would be so much developed, especially in the case of Quebec, that they gave little thought to the possibility of a genuine Canadian duality at the federal level. However, it must not be forgotten that Confederation was accomplished at a time when Canada was an Anglo-Saxon colony and when the best government was the one which interfered to the least possible degree in the life of its people. It was therefore much less serious a hundred years ago that the federal government was almost completely Anglo-Saxon, because Canada had no international status, the state did not intervene in economic life, and there were, as yet, practically no social security measures.

However, the French Canadians of Lower Canada can be reproached for not really understanding the situation of the French minorities in Upper Canada and the maritime provinces, who from a political point of view, were not represented. At the time, the problems of education were much more centred on religion than on language and thus the protection which was claimed for the minorities depended on the former rather than on the latter.

A majority of French Canadians favoured Confederation a hundred years ago because it was the only realistic solution which presented itself to them, and even those who opposed it were content to say that it was premature but did not offer an alternative solution. Confederation was achieved because the English Canadians needed to have the French Canadians in it, and the French could not then become independent. The great majority of nations have been formed, not by people who desired intensely to live together, but rather by people who could not live separately.

BIBLIOGRAPHICAL NOTE

The historians who have written about the birth of Confederation have taken into account the participation of the French Canadians in the events and have briefly analyzed their attitudes, but no thorough study has been devoted to this subject as a whole. French-Canadian historians have also neglected the study of this period. The only work on the subject written by a French Canadian is *La Confédération canadienne* (Montreal, 1918), by Abbé Lionel Groulx, which the author himself admits was written too quickly, and declares "that these studies make absolutely no claim to being a definitive work." He also published in *L'Action française* (XVII, May-June 1927, pp. 282-301) a study entitled "Les Canadiens français et l'établissement de la Confédération." A chapter on the birth of Confederation is to be found in the *Cours d'histoire du Canada* by Thomas Chapais, vol. 8, 1861-1867, Quebec, 1934. It is unnecessary here to repeat a bibliography which is to be found at the end of P. B. Waite's book, *The Life and Times of Confederation, 1864-1867* (Toronto, 1962), but a reference may be added to Walter Ullmann's article entitled "The Quebec Bishops and Confederation," published in the *Canadian Historical Review*, vol. XLIV, 1963, pp. 213-234. The present study has been written with the aid, in particular, of contemporary newspapers and the *Débats parlementaires sur la question de la Confédération de l'Amérique du Nord*, printed by order of the Legislature in 1865, which have been more easily consulted since 1952, thanks to the *Index aux Débats sur la Confédération, 1865* (Ottawa, Public Archives of Canada, 1952).

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